

been too much of the latter. And he rightly supported, as an alternative, "the creation of economic opportunity in rural America that will enable people who want to stay in their home communities to make a decent living there."

Secretary Freeman is calling for a "rural renaissance" and that is exactly what is going to be required. That renaissance might give the 2½ million farmers outside the highest income commercial group a decent standard of living in the rural areas where they now live. If the means are provided in rural areas to produce educated, capable and self-dependent people, they will move into urban industry as rapidly as positions are available to them. No enlightened government could contemplate a policy of inducing the disadvantaged and ill-prepared, by the naked coercion of want and poverty, to move into great urban centers which cannot provide the jobs for employable people already there and which cannot cope with the social problems of the unemployables already on their welfare rolls.

Nothing is to be gained by just moving human misery around from one sink of degradation to another. And that is what we are going to be doing if we simply cut agricultural appropriations in the expectation that the market system will cut the farm population down to the number that can find profitable employment in high-income commercial agriculture.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 1 o'clock and 29 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, January 28, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 27, 1965:

IN THE NAVY

Vice Adm. William A. Schoech, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Ignatius J. Galantin, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

Rear Adm. Robert B. Brown, Medical Corps, U.S. Navy, for appointment as Chief of the Bureau of Medicine and Surgery in the Department of the Navy for a term of 4 years.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Lt. Gen. Robert William Porter, Jr., O18048, Army of the United States (major general, U.S. Army), in the grade of general.

1. I nominate Lt. Gen. Thomas Weldon Dunn, O18517, Army of the United States (major general, U.S. Army), for appointment as Senior U.S. Army Member of the Military Staff Committee of the United Nations, un-

der the provisions of title 10, United States Code, section 711.

2. I nominate the following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Edgar Collins Doleman, O19131, U.S. Army, in the grade of lieutenant general.

LYNDON B. JOHNSON.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 27, 1965:

COUNCIL OF ECONOMIC ADVISERS

Arthur M. Okun, of Connecticut, to be a member of the Council of Economic Advisers.

NATIONAL COMMISSION ON TECHNOLOGY, AUTOMATION, AND ECONOMIC PROGRESS

Benjamin Aaron, of California, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Joseph A. Beirne, of Maryland, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Daniel Bell, of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Howard R. Bowen, of Iowa, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Patrick E. Haggerty, of Texas, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Albert J. Hayes, of Maryland, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Anna Rosenberg Hoffman, of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Edwin H. Land, of Massachusetts, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Walter P. Reuther, of Michigan, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Robert H. Ryan, of Pennsylvania, to be a member of the National Commission on Technology, Automation, and Economic Progress.

John I. Snyder, Jr., of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Robert M. Solow, of Massachusetts, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Philip Sporn, of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress.

Whitney M. Young, Jr., of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 27, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words from the Book of Daniel: *He knelt in prayer three times a day and gave thanks and made*

supplication unto God as was his custom.

Let us pray:

Almighty God, as the Speaker and the Members of the House of Representatives again assemble to conduct the legislative business of the Congress, may they be governed and guided by Thy divine spirit in all their deliberations and decisions.

May they daily make a sincere trial of the privilege of prayer, for experience teaches us that if we give ourselves to fervent prayer in the ordinary days of our life, then we will know how to pray with conquering power when days of emergency and crisis suddenly come upon us.

Grant that when our minds and hearts are disturbed and disquieted by the multitude and the magnitude of the tasks and trials which confront us, we may then have the grace to carry on unafraid and hold on with increasing tenacity of faith for Thou art our refuge and strength.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the President of the Senate, pursuant to section 1, Public Law 86-420, had appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MORSE, Mr. MANSFIELD, Mr. GORE, Mr. MONTOYA, Mr. INOUE, Mr. GRUENING, Mr. HICKENLOOPER, Mr. AIKEN, Mr. KUCHEL, and Mr. BENNETT to be members; and Mr. SIMPSON and Mr. FANNIN as alternate members; of the U.S. group of the Mexico-United States Interparliamentary Group for the meeting to be held in Mexico on February 11-18, 1965.

REFUSAL OF PERSONS TO TESTIFY BEFORE COMMITTEE ON UN- AMERICAN ACTIVITIES

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, on December 30, 1964, the Federal grand jury of the District of Columbia indicted three persons for contempt of Congress. These three individuals, after being subpoenaed to testify before the Committee on Un-American Activities in executive session on December 7, refused to do so. The House then not being in session, the committee reported their refusal to the

Speaker, who as provided by statute, referred the matter to the U.S. attorney for the District of Columbia.

Because this matter is of interest to the House, I request unanimous consent to extend my remarks in the RECORD and include extraneous matter; namely, the reports, statements of fact, and appendixes made by the Committee on Un-American Activities to the Speaker of the House concerning the refusal of the persons in question to testify.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT AND STATEMENT OF FACT OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES, PURSUANT TO TITLE 2, UNITED STATES CODE, SECTIONS 192 AND 194, CONCERNING THE FAILURE OF DAGMAR WILSON

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601 of the 79th Congress, section 121, subsection (q) (2), and under House Resolution 5 of the 88th Congress, duly caused to be issued a subpoena to Dagmar Wilson. The said subpoena directed Dagmar Wilson to be and appear before the said Committee on Un-American Activities, of which the Honorable Edwin E. Willis is Chairman, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at the hour of 10 a.m., at their committee room, 226 Old House Office Building, Washington, D.C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpoena served upon Dagmar Wilson is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To DAGMAR WILSON, GREETING:

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at 10 o'clock, a.m., at their committee room, 226 Old House Office Building, Washington, D.C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To William Margetich, to serve and return.

"Given under my hand this 18th day of November, in the year of our Lord, 1964.

"JOE R. POOL,

"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the committee prior to the date of the hearing, please call or write to staff director, Committee on Un-American Activities, Washington, D.C., telephone Capitol 4-3121, extension 3051."

The said subpoena was duly served as appears by the return thereof by the said William Margetich, also known as William A. Margetich, who was duly authorized to serve the said subpoena. The return of the service by the said William A. Margetich being endorsed thereon, is set forth in words and figures as follows:

"I made service of the within subpoena by personal service the within-named indi-

vidual at her home: 1406 29th Street NW., Washington, D.C., at 12:45 p.m., on the 19th day of November 1964. Dated November 19, 1964.

"WILLIAM A. MARGETICH,
"Investigator."

A subcommittee of the Committee on Un-American Activities, composed of Representatives Joe R. Pool, as chairman, Richard Ichord and August E. Johansen, met and convened in executive session at or about 10 a.m., on December 7, 1964, in room 219, Cannon House Office Building, Washington, D.C., the said subcommittee members all being present. Dagmar Wilson having been duly summoned as a witness as aforesaid, was called as a witness on that day. The said Dagmar Wilson appeared before the subcommittee and was administered an oath as a witness by the subcommittee chairman, Representative Joe R. Pool. When asked to state her name and residence for the record, and whether she was represented by counsel, she responded to those questions, but thereupon and thereafter willfully refused to testify or answer in response to any question pertinent to the question or subject under inquiry, and willfully refused to give any testimony touching matters of inquiry committed to said committee as required by the said subpoena.

The record of the proceedings before the said subcommittee on Monday, December 7, 1964, so far as it affects the witness, Dagmar Wilson, is set forth in appendix I, which is attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in appendix II, attached hereto and made a part hereof.

The foregoing willful refusal by the said Dagmar Wilson to give such testimony as required, in compliance with the said subpoena, deprived the committee of necessary and pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and places the said witness, Dagmar Wilson, in contempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities adopted at a meeting duly held on December 10, 1964, a copy of which is set forth in appendix II, this report and statement of fact constituting the failure of Dagmar Wilson is herewith transmitted to and filed with the Honorable JOHN W. MCCORMACK, Speaker of the House of Representatives, the House of Representatives having adjourned sine die on October 3, 1964, and not being now in session, so that the Speaker may certify the same under the seal of the House to the U.S. attorney for the District of Columbia, pursuant to title 2, United States Code, sections 192 and 194, to the end that the said Dagmar Wilson may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

Respectfully submitted this 10th day of December 1964.

E. E. WILLIS,
Chairman, Committee on
Un-American Activities.

APPENDIX I

EXECUTIVE SESSION, ENTRY OF ALIEN INTO THE UNITED STATES, MONDAY, DECEMBER 7, 1964

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in room 219, Cannon Building, Washington, D.C., Hon. JOE POOL (chairman of the subcommittee) presiding.

Present: Joe Pool, of Texas; Richard H. Ichord, of Missouri; and August E. Johansen, of Michigan.

Staff members present: Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald T. Appell, investigator.

Mr. POOL. The committee will come to order.

Before we get started I have an opening statement I want to read and I would like to know if Donna Allen, Dagmar Wilson, and Russell Nixon are in the room? Will you identify yourselves.

Mrs. WILSON. My name is Dagmar Wilson.

Mrs. ALLEN. Donna Allen.

Mr. NIXON. Nixon.

Mr. POOL. The Internal Security Act of 1950, a bill reported by this committee, contained provisions which barred aliens of certain types from admission to the United States either as immigrants or as nonimmigrant visitors.

The Congress subsequently incorporated these provisions in Public Law 414 of the 82d Congress, generally known as the McCarran-Walter Act or the Immigration and Nationality Act of 1952.

Section 212, subsection (a), paragraphs (27) and (29) of that act classify certain types of aliens as inadmissible to this country and not subject to admission under provisions found elsewhere in the act; namely, paragraph (28) of the same subsection and paragraph (3) of subsection (d).

Section 212, subsection (a), paragraph (28) of the act also classifies certain types of aliens as inadmissible. However, it contains a subparagraph (1) which grants to the Attorney General, on recommendation of the consular officer, the authority to issue them entry visas under certain conditions. This subparagraph provides, however, that their admission must always be "in the public interest." In addition, it applies only to aliens inadmissible under paragraph (28).

Section 212(d) (3) grants the Attorney General, on recommendation of the consular officer or the Secretary of State, discretionary power to waive the inadmissibility of certain aliens described in section 212(a) except for those barred under paragraphs (27) and (29) of that section. Such waiver, however, applies only to temporary or nonimmigrant visas.

Information which has been brought to the attention of the Committee on Un-American Activities indicates that the discretionary authority of the consular officer or the Secretary of State to recommend, and of the Attorney General to approve, the issuance of nonimmigrant visas are possibly abused.

Preliminary investigation by the committee, authorized by the chairman several months ago, raises serious questions as to whether the intent of Congress is being followed in the admission to this country of aliens under the above-mentioned sections of the Immigration and Nationality Act of 1952.

The investigation has also raised the question of whether the available background information on certain aliens temporarily admitted to this country is being properly evaluated. This may be resulting in certain aliens being classified as ineligible under paragraph (28)—and therefore eligible for a waiver—when they properly come under paragraphs (27) or (29) and are therefore ineligible for admission under waiver.

This hearing was authorized by the committee at a meeting held on February 19, 1964. The minutes of that meeting read, in part, as follows:

"A motion was made by Hon. WILLIAM M. TUCK, seconded by Hon. Henry C. Schadeberg, and unanimously carried, authorizing the holding of hearings in Washington, D.C., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably

necessary by the staff in preparation therefore, related to the following:

"1. Strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct these hearings may designate."

The order appointing the subcommittee to conduct these hearings is as follows:

"To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities:

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee, and take such testimony on said day or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any member indicates his inability to serve, please notify me.

"Given under my hand this 11th day of March 1964.

"EDWIN E. WILLIS,
Chairman, Committee on
Un-American Activities."

I also have a memorandum to Mr. Francis J. McNamara, director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a subcommittee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964, hearing, and possibly on other days, before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"EDWIN E. WILLIS,
Chairman, Committee on
Un-American Activities."

Mr. Speiser, the subcommittee has met and considered your letter which is dated December 1, 1964, and has denied your request for a public hearing due to the fact that rule XXVI is involved, which this committee has been very zealous in following due to the fact that derogatory information might be revealed during these hearings, so your request has been denied.

Do you have any other reason or any other request to make of the committee at this time?

Mr. SPEISER. Yes, sir. Has the committee made a determination under rule IV of the committee's rules that a public hearing might endanger national security?

Mr. POOL. I did not get your statement.

Mr. SPEISER. Has the committee made a determination under rule IV of the committee's rules of procedure that a public hearing might endanger national security?

Mr. POOL. You are asking me something here that might have taken place in executive session and I am not at liberty to answer your question unless the committee decides to make it public. That would be my answer to that.

Mr. SPEISER. I would like to make a motion then that the committee cannot properly hold an executive session unless they make such a determination and if such a determination has not been made that a public hearing should be ordered.

Mr. ICHORD. Mr. Chairman, may I ask is that the only request that he has prior to the committee taking up its business?

Do you have any further objections to the executive hearing?

Mr. SPEISER. The objections I stated in my letter and this is an additional one. Those are the two objections I have to an executive session.

Mr. ICHORD. I think we should take that under consideration, Mr. Chairman.

Mr. POOL. If you have no further statement or objections to make, then we will ask you all to step outside and we will make a determination of what the committee wants to do. Those are all the objections you have to raise before the testimony begins?

Mr. SPEISER. That is on the question of executive session as compared to a public session. There may be other objections with regard to particular witnesses' testimony.

Mr. POOL. What other objections do you have at this time?

Mr. SPEISER. I do not know at this time, Mr. Chairman. I cannot say until the matter comes up before the committee. I can't make a statement there.

Mr. POOL. That is a good point. Who do you represent here now?

Mr. SPEISER. I represent Mrs. Allen and Mrs. Wilson.

Mr. POOL. All right. Mr. Nixon, do you have counsel?

Mr. NIXON. No, sir.

Mr. POOL. Would you like to state any objections at the present time before this hearing begins?

Mr. NIXON. I certainly associate myself with the objections stated by Mr. Speiser. I am not a lawyer. I would add the point that it would be unfortunate to require this kind of testimony, with the opprobrium of this kind of subpoena, in private without having a full public and press view of the proceedings. The hearing is in only one sense private, since the committee maintains to itself the privilege at a date of its own choosing, the privilege of releasing to the press either a summary, or a partial transcript, or a full transcript of the hearings, so it is in this sense also that I would add an objection to these proceedings going ahead in executive.

I think that the press and the public have a right to hear the proceedings.

Mr. POOL. That is all of the objections you have, plus the ones that you associated yourself with in Mr. Speiser's case?

Mr. NIXON. Yes, sir, I think so.

Mr. ICHORD. Mr. Chairman, I move that the committee go into executive session for consideration of the request.

Mr. POOL. All right. The witnesses and the attorney will be excused and we will call you back in when we get through with this deliberation. Make yourselves available outside in the hall if you will.

(At this point the witnesses and attorney left the hearing room and the subcommittee proceeded further in executive session, which proceedings were not reported, following which the witnesses and attorney returned to the hearing room.)

Mr. POOL. The committee will come to order.

Mr. Speiser, the subcommittee feels that you have misinterpreted rule IV. It requires that if the committee or a subcommittee believes interrogation of a witness in public might endanger national security it must then hear such witness in executive session.

It does not say that reasons of national security are the only ones that permit or justify executive session hearings. For your information we have considered all the applicable rules as the full committee did months ago and have determined this hearing will be held in executive session.

Mr. Nixon's request has also been considered in the light of all applicable rules and has been rejected.

Mr. SPEISER. Mr. POOL, am I to understand that a determination has been made that a public hearing would not endanger national security?

Mr. POOL. I have just read to you the statement here that was the determination of the subcommittee and it speaks for itself.

Mr. SPEISER. I will leave my question on the record as it is. I do not feel it was answered. I would like to raise a question as to the absence of a quorum at this time, Mr. Chairman.

(At this point Representative Bruce entered the hearing room.)

I withdraw it.

(At this point Representative Johansen entered the hearing room.)

Mr. POOL. I didn't get the last.

Mr. SPEISER. I raised the question of the absence of a quorum because Mr. Bruce and Mr. Johansen were not present. I withdraw it.

Mr. POOL. For the record there was a quorum here. It is a subcommittee of three members and Mr. ICHORD and myself constitute a quorum.

Mr. Nixon, if you will come forth and be sworn in the other witnesses may be excused temporarily until they are called.

Mr. NIXON. Mr. POOL, I am not going to testify in this executive session. I am willing to testify in public session with the press and the public present, but for the reasons which I have stated here I am unwilling to proceed in this executive session.

Mr. POOL. I will direct you to come forward and be sworn.

Mr. NIXON. I think my statement speaks for itself, Mr. POOL.

Mr. POOL. For the last time I direct you to come forth and be sworn.

Mr. NIXON. I decline, as I have told you.

Mr. POOL. Let the record show that the chairman requested Mr. Nixon to come forth and be sworn and that he has refused to do so.

Mr. JOHANSEN. Mr. Chairman, let the record also show that all three members of the subcommittee were present.

Mr. POOL. Let the record so show. The other witnesses and the attorney will leave the room at the present time temporarily. Mr. Nixon, you remain.

(At this point Mrs. Wilson, Mrs. Allen, and Mr. Speiser left the room.)

Mr. ICHORD. Mr. Chairman, I ask that the other witnesses be called.

Mr. POOL. All right. Mr. Nixon, you will leave the room and the staff will call the other witness.

(At this point Mr. Nixon left the room.)
(All the witnesses and Mr. Speiser came back into the hearing room.)

Mr. POOL. I brought you witnesses and attorney in here to excuse you until 2 o'clock when we will meet back in this room.

Donna Allen, Dagmar Wilson, and Russell Nixon, let the record show, are excused until 2 o'clock.

Mr. SPEISER. Mr. Chairman, can you tell us at this time whether the hearing will be public at 2 o'clock?

Mr. POOL. You are excused until 2 o'clock. That's all I have to say to you at the present time.

(Whereupon, at 11:30 a.m., the hearing was recessed to reconvene at 2 p.m., the same day.)

[After recess]

(The subcommittee reconvened at 2:50 p.m., Mr. POOL, chairman of the subcommittee, presiding. Committee members present: Representatives Pool, Ichord, Johansen, and Bruce.)

Mr. POOL. The committee will come to order.

(At this point Mr. Johansen withdrew from the hearing room.)

Mr. SPEISER. May I have a moment, please, to talk to my client?

Mr. POOL. Surely.

Mr. SPEISER. Thank you.

Mr. POOL. Will you stand and be sworn?

Mrs. WILSON. I will.

Mr. POOL. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WILSON. I do.

Mr. POOL. Mr. Counsel.

TESTIMONY OF MRS. DAGMAR WILSON, 1406 29TH STREET NW., WASHINGTON, D.C., ACCOMPANIED BY LAWRENCE SPEISER, ATTORNEY AT LAW, WASHINGTON DIRECTOR OF AMERICAN CIVIL LIBERTIES UNION, 1101 VERMONT AVENUE NW., WASHINGTON, D.C.

Mr. NITTE. Mrs. Wilson, would you please state your name and residence for the record?

Mrs. WILSON. My name is Dagmar Wilson. My address is 1406 29th Street NW., Washington, D.C.

Mr. POOL. Ask her if she is represented by counsel.

Mr. NITTE. Are you represented by counsel?

Mrs. WILSON. I am.

Mr. NITTE. Will counsel identify himself for the record, stating his name and office address, please.

Mr. SPEISER. Lawrence Speiser, American Civil Liberties Union, 1101 Vermont Avenue NW., Washington, D.C.

Mr. POOL. You are appearing here and representing Mrs. Wilson?

Mr. SPEISER. I am.

Mr. NITTE. Mrs. Wilson, you appeared before the committee in December of 1962, at which time we obtained certain pertinent information relating to your educational background, and your age, and date and place of birth, and we will not pursue that at this time.

Mrs. WILSON. Thank you.

Mr. NITTE. Mrs. Wilson, this committee has received testimony to the effect that on Friday, November 8, 1963, you accompanied Mr. Russell Nixon on a visit to the Department of State on behalf of Dr. Kaouri Yasui. Did you accompany Mr. Nixon as I have stated?

Mrs. WILSON. Mr. Chairman, we have formally requested that these hearings be held in public. I do not wish to answer any of

the questions pertinent to this case in a private session.

Mr. POOL. Mr. Ichord, would you state the reasons again?

Mr. ICHORD. Mr. Chairman, her counsel has heard, since he represented the previous witness, the reasons why the committee has refused the request for a public session, but for Mrs. Wilson's benefit, I will summarize those reasons again.

It is the position of the committee that the witnesses and your counsel have definitely misconstrued rule No. IV. Rule No. IV of the House Committee on Un-American Activities rules requires an executive hearing, if a public hearing might endanger the national security.

Rule 26(m) of the House rules requires the hearing of a congressional committee to be in executive session if the committee determines that evidence or testimony at any investigative hearing may tend to defame, degrade, or incriminate any other person, but I pointed out to your counsel, and I point out to you, that both of these rules do not restrict the right of a committee of Congress to hold executive sessions.

I might say to you that there are some aspects of national security involved in this hearing, but it is not necessary to determine whether or not the national security would be endangered if you were heard in public session, and we have not determined that, and still deny your request for a public session.

We are here investigating the administration of the Immigration and Nationality Act of 1952, and in particular the admission of inadmissible aliens to the United States under the waiver provisions of section 212 of the Immigration and Nationality Act.

I would say to you that there are many reasons why this hearing should be executive. They were discussed by me in full before the committee in executive session.

The committee has determined that rule 26(m) is applicable, but the committee has also determined that even if 26(m) is not applicable, the request should still be denied for reasons in the national interest.

We consider that at issue here is the very right of a committee of Congress to function effectively, and, as I stated in the executive session, we cannot permit a witness to determine when this committee's hearings shall be in executive session or in public session. That decision must be reserved for the committee itself, if it is to function in the public interest.

This case is clearly governed by rule 26(g) of the House, which reads as follows, and I will read it to you, and I might say that I requested the Assistant House Parliamentarian, Bill Cockrane, for his opinion as to the action of the committee in ordering an executive session and refusing a public session, rule 26(g) reads as follows:

"All hearings conducted by standing committee or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session."

And at this hearing the committee by unanimous vote has ordered an executive session. The committee has considered your request for a public hearing, has considered all of the applicable rules of the House and of this committee, and has determined that it is in the public interest that your request for a public hearing be denied.

Thank you, Mr. Chairman.

Mr. POOL. Will you state your question again, now?

Mr. NITTE. Mr. Chairman, may I ask the reporter to read it to the witness?

Mr. POOL. All right.

(The question referred to was read by the reporter.)

Mrs. Wilson, this committee has received testimony to the effect that on Friday, No-

vember 8, 1963, you accompanied Mr. Russell Nixon on a visit to the Department of State on behalf of Dr. Kaouri Yasui. Did you accompany Mr. Nixon as I have stated?

Mrs. WILSON. In spite of Mr. ICHORD's explanation, I cannot see that there is anything in this question that can possibly endanger the national security. I can't see that this is anything that cannot be heard by everybody.

I still feel that I should be permitted to be heard in public.

Mr. ICHORD. I think that I should advise you, Mrs. Wilson, as I am sure your counsel has advised you, that you might possibly be subjecting yourself to penalties of contempt for refusing to answer.

Mrs. WILSON. I understand that. I feel that my Constitution is protecting me, yes.

Mr. POOL. With that in mind, Mrs. Wilson, the Chair directs that you answer the question.

Mrs. WILSON. I can only repeat what I have already stated.

Mr. POOL. You refuse to answer the question?

Mrs. WILSON. Yes, under these circumstances.

Mr. POOL. I will ask you one more time. I will direct you to answer the question.

Mrs. WILSON. I would be glad to answer any questions with my friends, and the public, and the press present publicly to hear my answers.

Mr. POOL. You refuse to answer this question?

Mrs. WILSON. Under these conditions, I refuse.

Mr. NITTE. Mrs. Wilson, do you clearly understand that the committee has made a determination that this hearing must be held in executive session to comply with House rule XI, 26(m)?

(The witness conferred with her counsel.)

Mr. NITTE. Do you understand that, Mrs. Wilson?

Mr. SPEISER. May I respond to that?

I was not under the impression that there had been a determination on that. As I understand, you were relying on all the rules, including this, and you were not relying on this alone.

I want to make sure that question even possibly encompasses that you are relying on all the rules, and not this one rule alone.

Mr. NITTE. The committee made clear to you, and I think I made clear to you in the course of your representation of the last witness that the committee has considered all of its rules, and has made certain specific determinations—

Mr. POOL. All the House rules, also.

Mr. NITTE. Under which it has specifically determined that House rule XI, paragraph 26(m), is specifically applicable, and for the benefit of your client, I think that rule should be read to her, and it provides as follows:

"If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person it shall receive such evidence or testimony in executive session."

I want to state specifically to Mrs. Wilson that in accordance with the opening statement of the chairman, where the subjects of inquiry and legislative purposes were explained to you, you must understand that the committee is seeking to ascertain the facts relating to the strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act.

The interrogation which I propose to make in your case, the committee has determined, will evoke evidence or testimony which will involve the activities of persons in organizations designated or known as Communist or subversive, and that will adversely reflect

upon such persons, and in a manner within the provisions of House rule XI, 26(m), which I just quoted to you.

The committee has therefore made a specific determination that by reason of the provisions of this rule, and for other reasons which they have explained to you, this hearing and your testimony shall be received in executive session.

Is that clear to you?

Mrs. WILSON. Well, I can't, I must admit, follow all these complicated details. This is very tricky for a layman. But here I am reading from No. XI, rule XI, the words "defame, degrade, or incriminate."

I have no information that could possibly defame, degrade, or incriminate anybody, and I just do not see why, therefore, I should be required to testify in private.

Mr. NITTE. Mrs. Wilson, that is a judgment that must be made by the committee. We do not know upon what basis you make your judgment, nor are you aware of the entire areas of the interrogation.

We state to you that the fact is that your interrogation will involve persons about whom the testimony may have the tendency to defame, degrade, or incriminate.

(The witness conferred with her counsel.)

Mr. POOL. Mrs. Wilson, I will direct you again to answer the question.

Mrs. WILSON. I will do my best to explain my—I beg your pardon.

Mr. POOL. I said I direct you to answer the question that was previously asked you by counsel and was read back to you by the reporter.

Mrs. WILSON. Do you wish to reread it?

Mr. POOL. The reporter read it to you a while ago. Would you like it to be read again?

Mrs. WILSON. No, I think I can remember, and I know that I did not wish to answer the question under the conditions.

Mr. POOL. You refuse to answer the question?

Mrs. WILSON. Under these circumstances, I do, yes.

Mr. POOL. Any other questions of this witness?

Any other questions?

Mr. BRUCE. No.

Mr. POOL. I direct you to escort the witnesses outside.

Mr. Appell, advise the witnesses to remain outside until we dismiss them.

(At this point Mr. Johansen reentered the hearing room.)

Mr. POOL. Tell the witnesses they are excused.

(Whereupon, at 4:05 p.m., the subcommittee adjourned, subject to call of the Chair.)

APPENDIX II

1. The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 26, 1963:

"The Committee on Un-American Activities met in executive session on Tuesday, February 26, 1963, at 3 p.m. in room 225 of the Old House Office Building. The following members were present: Clyde Doyle, acting chairman; William M. Tuck, Joe R. Pool, August E. Johansen, Henry C. Schadeberg.

"Also present were the following staff members: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; Juliette P. Joray, recording clerk; and Rosella A. Purdy, secretary.

"The acting chairman opened the meeting at 3:20 p.m. and explained to the members present that the meeting was called to consider several resolutions necessary to the reorganization of the committee for the 88th Congress.

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting

the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereinafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session."

"On motion made by Mr. Johansen, and seconded by Mr. Pool, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter, and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the rules of procedure revised by the Committee on Un-American Activities during the 1st session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities," together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the Committee on Un-American Activities of the House of Representatives of the 88th Congress."

"The committee adjourned at 3:30 p.m.

"E. E. WILLIS,"

"Acting Chairman."

"JULIETTE P. JORAY,"

"Recording Clerk."

A copy of the aforesaid "Rules of Procedure—Committee on Un-American Activities," as revised in 1961, and as adopted in the foregoing resolution, is attached to this appendix and made a part hereof, marked as "exhibit A."

2. The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 19, 1964:

"COMMITTEE ON

"UN-AMERICAN ACTIVITIES,

"February 19, 1964.

"The Committee on Un-American Activities met in executive session on Wednesday, February 19, 1964, in room 356 of the Cannon House Office Building at 4:20 p.m. The following members were present: Edwin E. Willis, chairman; William Tuck, Joe Pool, Richard Ichord, Henry Schadeberg.

"The following staff members were present: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; and Alfred W. Nittle, counsel.

"A motion was made by Mr. Tuck, seconded by Mr. Schadeberg, and unanimously carried authorizing the holding of hearings in Washington, D.C., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following:

"1. Strategy, tactics, and activities of members of the Communist Party and Communist

¹ Mr. WILLIS succeeded Mr. Doyle as acting chairman upon Mr. Doyle's decease.

organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct these hearings may designate.

"The meeting adjourned at 4:40 p.m.

"EDWIN E. WILLIS,"

"Chairman.

FRANCIS J. McNAMARA,

"Director."

3. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative Edwin E. WILLIS, appointing a subcommittee to conduct a hearing as contemplated by the foregoing resolution of February 19, 1964.

MARCH 11, 1964.

To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee and take such testimony on said day or succeeding days as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 11th day of March, 1964.

E. E. WILLIS,

Chairman, Committee on Un-American Activities.

4. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative Edwin E. Willis, designating Representative August E. Johansen to serve on the aforesaid subcommittee until such time as Representative Henry C. Schadeberg can resume his service on said subcommittee:

SEPTEMBER 4, 1964.

To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has notified me of his inability to serve on said subcommittee at its hearing scheduled for 10 a.m., Wednesday, September 9, 1964.

I hereby designate Hon. August E. Johansen to serve on said subcommittee in the place of Mr. Schadeberg at the hearing scheduled for September 9, 1964, and until such time as Mr. Schadeberg can resume his service on said subcommittee.

E. E. WILLIS,

Chairman, Committee on Un-American Activities.

5. The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on November 18, 1964:

"A subcommittee of the Committee on Un-American Activities met in executive session on Wednesday, November 18, 1964, in room 225 of the Cannon House Office Building, Washington, D.C., at 11 a.m. The following members were present: Mr. Pool, chairman; Mr. Ichord (entered at 11:30 a.m.); Mr. Schadeberg. Mr. Johansen was also present.

"The following members of the committee staff were present: Francis J. McNamara, director; William Hitz, general counsel; Donald Appell, chief investigator; Mrs. Mary Valente, acting recording clerk.

"The director stated to the subcommittee that it was necessary to the committee inquiry relating to the entry of aliens into the United States and other matters to hear testimony from Dagmar Wilson, Donna Allen, and Russell A. Nixon. He explained why the testimony of these three individuals was necessary to the inquiry. On motion of Mr. Ichord, seconded by Mr. Schadeberg, the following resolution was unanimously adopted by the subcommittee:

"Whereas, the director of the committee explained the reasons why Dagmar Wilson, Donna Allen, and Russell A. Nixon should have knowledge of facts relevant and material to the investigations and hearings authorized by the committee resolution of February 19, 1964, relating to the entry of aliens into the United States, and other matters: Now, therefore, be it

"Resolved, That the subcommittee is of the opinion that the within-named persons should be required to attend the said hearings and investigations as witnesses and to produce such books, papers, and documents, and to give such testimony as the subcommittee deems necessary; that the subcommittee deems such attendance to be necessary in furtherance of the committee's legislative purposes; and that the subcommittee authorizes subpoenas to be issued therefor in accordance with the provisions of law."

"The subcommittee agreed that Dagmar Wilson, Donna Allen, and Russell A. Nixon should be required to appear before the subcommittee on December 7, 1964, in executive session.

"The meeting adjourned at 12:25 p.m.

"JOE R. POOL,

"Chairman.

"Mrs. MARY VALENTE,

"Acting Recording Secretary."

6. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative Edwin E. Willis, appointing Representative August E. Johansen to serve on the said subcommittee in the place of Representative Henry C. Schadeberg:

"To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February, 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964, hearing, and possibly on other days,

before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"E. E. WILLIS,

"Chairman, Committee on Un-American Activities.

7. The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on December 7, 1964, at 10:08 a.m.

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in room 225, Cannon House Office Building, at 10:08 a.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The director advised the members that a request had been received by the committee from Lawrence Speiser, director of the Washington office of the American Civil Liberties Union and attorney for Mrs. Dagmar Wilson and Mrs. Donna Allen, that the hearings scheduled for December 7 and 8 be canceled or held in public session rather than in executive session. Following a discussion during which the reasons for holding the hearings in executive session were fully explored, Mr. ICHORD moved that Mr. Speiser's request be denied and that the hearings be held in executive session. Mr. Johansen seconded the motion and the chairman so ordered.

"The chief investigator briefed the members on Russell Nixon's background.

"The subcommittee agreed to have all three witnesses in the hearing room at the same time for the reading of the opening statement.

"The meeting adjourned at 10:15 a.m.

"JOE R. POOL,

"Chairman of Subcommittee.

"JULIETTE P. JORAY,

"Recording Clerk."

The following letter dated December 1, 1964, on the letterhead of the Washington office of the American Civil Liberties Union, and signed by Lawrence Speiser, director of the Washington office, is the request to which reference is made in the above minutes as having been received by the committee from Lawrence Speiser:

"Hon. EDWIN E. WILLIS,

"Chairman, Committee on Un-American Activities, U.S. House of Representatives, Washington, D.C.

"DEAR CHAIRMAN WILLIS: I am the attorney for Mrs. Dagmar Wilson and Mrs. Donna Allen who have been subpoenaed to appear before a subcommittee of the House Committee on Un-American Activities in an executive session concerning their personal visit to the State Department in 1963 to urge it to issue a visitor's visa to Prof. Kaoru Yasui so that he could fulfill speaking engagements all over the country.

"I have a great deal of difficulty in believing that you have authorized the issuance of subpoenas to Mrs. Wilson and Mrs. Allen for this reason. It would seem that the open and aboveboard personal visitation of American citizens to an executive agency to urge its authorization of the entry into this country of a speaker (whose entry was later approved) should not be the basis of any con-

gressional investigation. On its face, such an investigation violates the first amendment's protection of the right of citizens to petition the government and the right to hear all points of view.

"Accordingly, I respectfully request that the hearings be canceled. In the event that this request is not granted, then I request on behalf of Mrs. Wilson and Mrs. Allen that the hearings be public, rather than in executive session.

"Sincerely yours,

"LAWRENCE SPEISER,

"Director, Washington Office."

8. The following are the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 11 a.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met on December 7, 1964. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald Appell, chief investigator.

"The subcommittee discussed and considered again the request previously received in a letter from Mr. Lawrence Speiser, attorney for Dagmar Wilson and Donna Allen, that the hearings be canceled or held in public. It also considered the additional requests Mr. Speiser made in the hearings prior to recess relative to a public hearing for his clients. In addition, the subcommittee considered the views and requests of Russell Nixon expressed prior to recess.

"The subcommittee, in its deliberations, viewed these requests in the light of all relevant committee resolutions and applicable rules of the House and the committee itself, including House rules 26(g) and 26(m), and committee rule IV. The subcommittee concluded that rule XI, 26(g), was applicable, and that an executive session was desirable, for reasons of national interest, because of the area of Government operation involved, but which could not be disclosed to the witnesses at this time in any detail without violating that interest. It was also determined that rule XI 26(m) precluded a public hearing at this stage of the investigation because the proposed area of interrogation would involve persons, other than the witnesses, in a defamatory or possibly incriminating manner forbidden by the rule.

"The subcommittee unanimously concluded that the hearing should be continued in executive session and the requests of the witnesses for a public hearing denied.

"It was agreed that Mr. ICHORD would prepare a statement expressing the subcommittee's determination, which he would make for the record when the hearing was reconvened at 2 p.m.

"It was agreed that, in the interim, Mr. ICHORD would check with the parliamentarian of the House to obtain his view of the issues confronting the subcommittee and determine whether or not he believed the position adopted by the subcommittee was a correct one.

"The meeting adjourned at approximately 11:35 a.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Secretary."

9. The following are the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 2 p.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings

in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session in room 225, Cannon House Office Building, at 2 p.m., on December 7, 1964.

"The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"With further reference to the requests of Russell Nixon and Mr. Spelser on behalf of his clients, Mrs. Dagmar Wilson and Mrs. Donna Allen, discussed at the meetings held this day, Mr. Ichord reported to the subcommittee on his contacts with the Assistant Parliamentarian, William Cochran, in the absence of the Parliamentarian, Mr. Deschler. Mr. Ichord stated that the Assistant Parliamentarian advised him that by virtue of the committee resolutions, committee rules and applicable House rules, the subcommittee was empowered to order an executive session.

"The committee deliberated and concluded that there were aspects of national interest involved which require the holding of these hearings in executive session and that rule XI, 26(m), was operative in that the area of interrogation of these three witnesses might tend to defame, degrade or incriminate persons other than the witnesses. It was suggested that Mr. ICHORD prepare a statement on behalf of the subcommittee, the contents of which were unanimously approved by the subcommittee, and which Mr. ICHORD was to deliver upon the reconvening of the subcommittee following the recess.

"On motion of Mr. ICHORD, seconded by Mr. Johansen and unanimously adopted, it was agreed that the requests of Mr. Nixon, Mrs. Wilson, and Mrs. Allen, should again be denied.

"The meeting recessed at 2:45 p.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Secretary."

10. The following is an extract of the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 4:05 p.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session on December 7, 1964, in room 219 of the Cannon House Office Building at 4:05 p.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen, Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The subcommittee was called to order by the chairman who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of Russell Nixon to be sworn or examined as a witness; and the failures of Dagmar Wilson and Donna Allen to testify at the hearing conducted by the said subcommittee on the 7th day of December, 1964, and what recommendation it would make to the full committee regarding their citation for contempt of the House of Representatives.

"After full discussion of the testimony of Dagmar Wilson, a motion was made by Mr. ICHORD, seconded by Mr. Johansen, and unanimously carried, that a report of the facts relating to the refusal of Dagmar Wilson to testify to those matters required by her subpoena, be referred and submitted to the Committee on Un-American Activities as a

whole, with the recommendation that a report of the facts relating to the refusal of said witness to testify to those matters required by her subpoena, together with all of the facts in connection therewith, be referred to the Speaker of the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives, to the end that she may be proceeded against in the manner and form provided by law.

"The meeting adjourned at 4:15 p.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Clerk."

11. The following is an extract of the minutes of a meeting of the full Committee on Un-American Activities held on December 10, 1964, at 10 a.m.:

"The Committee on Un-American Activities met in executive session on Thursday morning, December 10, 1964, in Room 225, Cannon House Office Building, at 10 a.m. The following members were present: Edwin E. Willis, chairman; William Tuck, Joe R. Pool, Richard Ichord, Donald C. Bruce.

"Also present were the following staff members: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; Philip Manuel, investigator; and Juliette P. Joray, recording clerk.

"Chairman WILLIS called the meeting to order at 10:18 a.m. and announced that this special meeting of the committee was called, after notice to all committee members, for the purpose of considering a recommendation of the subcommittee headed by Mr. Pool, looking into the entry of aliens into the United States under waiver of ineligibility, that Russell Nixon, Dagmar Wilson, and Donna Allen be cited for contempt because of their refusals to testify before the subcommittee in executive session on Monday of this week, December 7.

"The chairman then directed Mr. Pool, chairman of the subcommittee, to report on the matter being considered by the committee.

"Representative Pool reported to the committee that he was chairman of the subcommittee appointed by the chairman, composed of himself, Representatives RICHARD H. ICHORD and August E. Johansen, to conduct hearings on December 7, 1964, at Washington, D.C., as contemplated under the resolution adopted by the committee on the 19th day of February 1964; that the subcommittee met in executive session on December 7, 1964, in the Cannon House Office Building, Washington, D.C., to receive the testimony of Russell Nixon, Donna Allen, and Dagmar Wilson who had been duly subpoenaed to appear as witnesses before said subcommittee; the said meeting of the subcommittee was attended on December 7, 1964, by subcommittee chairman, Representative Joe R. Pool, and Representatives RICHARD H. ICHORD and August E. Johansen; that the witness, Russell Nixon, having appeared before the subcommittee, refused to be sworn or examined as a witness, willfully refused to answer any question pertinent to the question under inquiry, and willfully refused to give any testimony touching matters of inquiry committed before said subcommittee; that the said Donna Allen appeared before the subcommittee, was administered an affirmation as a witness by the subcommittee chairman but willfully refused to testify in response to any question pertinent to the question or subject under inquiry; that the said Dagmar Wilson appeared before the subcommittee, was duly sworn as a witness, and when asked to state her name and residence for the record and whether she was represented by counsel, she responded to those questions, but thereupon and thereafter willfully refused to answer any question pertinent to the question under inquiry and willfully refused to give any

testimony touching matters of inquiry before said subcommittee as required by her subpoena; that the subcommittee thereafter met in executive session, attended by the said subcommittee chairman, Representative Pool, and Representatives Ichord and Johansen, being all of the members of the said subcommittee; at which time, motions were made and unanimously adopted with respect to each of said persons, to wit, Russell Nixon, Donna Allen, and Dagmar Wilson, that a report of the facts relating to the refusal of each of them to testify before said subcommittee at said hearings after having been summoned to appear to testify before said subcommittee, be referred and submitted to the Committee on Un-American Activities as a whole, with a recommendation that a report and statement of fact with reference to the refusal of each of said witnesses to appear to testify as aforesaid, be made to and filed with the Speaker of the House, the House now being adjourned sine die, in order that the said Speaker may certify the same under the seal of the House, to the appropriate U.S. attorney to the end that each of said witnesses may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

"A motion was made by Mr. Pool, seconded by Mr. ICHORD, that the subcommittee's report of the facts relating to the refusal of Dagmar Wilson to testify before the said subcommittee at the hearings conducted before it in Washington, D.C., on the 7th day of December 1964 be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report the said failure of Dagmar Wilson to the Honorable JOHN MCCORMACK, Speaker of the House of Representatives, the House of Representatives now being adjourned sine die, in order that the said Speaker may certify the same to the U.S. attorney for the District of Columbia to the end that the said Dagmar Wilson may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to forward such report and statement of fact constituting such failure of Dagmar Wilson to the said Speaker of the House of Representatives. Following discussion, the motion was put to a vote and it was unanimously adopted. Mr. Pool asked for the yeas and nays to be recorded. The yeas and nays were taken. Mr. Willis voted yea, Mr. Tuck voted yea, Mr. Pool voted yea, Mr. Ichord voted yea, and Mr. Bruce voted yea. Mr. Bruce also stated that he was authorized to vote the proxy of Mr. Johansen and that if he were present he would vote yea. So the motion was agreed to.

"The meeting adjourned at 11:15 a.m.

"EDWIN E. WILLIS,

"Chairman.

"JULIETTE P. JORAY,

"Recording Clerk."

REPORT AND STATEMENT OF FACT OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES, PURSUANT TO TITLE 2, UNITED STATES CODE, SECTIONS 192 AND 194 CONCERNING THE FAILURE OF DONNA ALLEN TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601 of the 79th Congress, Section 121, subsection (c) (2), and under House Resolution 5 of the 88th Congress, duly caused to be issued a subpoena to Donna Allen. The said subpoena directed Donna Allen to be and appear before the said Committee on Un-American Activities, of which the Honorable EDWIN E. WILLIS is chairman, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at the hour of 10 a.m., at their committee room, 226 Old House Office Building, Washington, D.C.,

then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpoena served upon Donna Allen is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
CONGRESS OF THE UNITED STATES.

"To DONNA ALLEN, greeting:

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at 10 a.m., at their committee room, 226 Old House Office Building, Washington, D.C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To William Margetich, to serve and return.

"Given under my hand this 18th day of November, in the year of our Lord, 1964.

"JOE R. POOL,

"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the committee prior to the date of the hearing, please call or write to staff director, Committee on Un-American Activities, Washington, D.C., telephone: Capitol 4-3121, extension 3051."

The said subpoena was duly served as appears by the return thereof by the said William Margetich, also known as William A. Margetich, who was duly authorized to serve the said subpoena. The return of the service by the said William A. Margetich being endorsed thereon, is set forth in words and figures, as follows:

"I made service of the within subpoena by personal service the within-named individual at her home: 3306 Rose Place N.W., Washington, D.C., at 1:15 o'clock, p.m., on the 19th day of November 1964. Dated November 19, 1964.

"WILLIAM A. MARGETICH,
Investigator."

A subcommittee of the Committee on Un-American Activities, composed of Representative Joe R. Pool, as chairman, Richard Ichord and August E. Johansen, met and convened in executive session at or about 10 a.m., on December 7, 1964, in room 219, Cannon House Office Building, Washington, D.C., the said subcommittee members all being present. Donna Allen having been duly summoned as a witness as aforesaid, was called as a witness on that day. The said Donna Allen appeared before subcommittee and was administered on affirmation as a witness by the subcommittee chairman, Representative Joe R. Pool, but the said Donna Allen willfully refused to answer any question pertinent to the question or subject under inquiry, and willfully refused to give any testimony touching matters of inquiry committed to said committee as required by the said subpoena.

The record of the proceedings before the said subcommittee on Monday, December 7, 1964, so far as it affects the witness Donna Allen, is set forth in appendix I, which is attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in appendix II, attached hereto and made a part hereof.

The foregoing willful refusal by the said Donna Allen to give such testimony as required, in compliance with the said subpoena, deprived the committee of necessary and pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and places the said witness, Donna Allen, in con-

tempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities adopted at a meeting duly held on December 10, 1964, a copy of which is set forth in appendix II, this report and statement of fact constituting the failure of Donna Allen is herewith transmitted to and filed with the Honorable JOHN W. MCCORMACK, Speaker of the House of Representatives, the House of Representatives having adjourned sine die on October 3, 1964, and not being now in session, so that the Speaker may certify the same under the seal of the House to the U.S. attorney for the District of Columbia, pursuant to title 2, United States Code, sections 192 and 194, to the end that the said Donna Allen may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

Respectfully submitted this 10th day of December 1964.

E. E. WILLIS,

Chairman, Committee on Un-American Activities.

APPENDIX I

EXECUTIVE SESSION, ENTRY OF ALIENS INTO THE UNITED STATES, MONDAY, DECEMBER 7, 1964

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in room 219, Cannon Building, Washington, D.C., Hon. Joe Pool (chairman of the subcommittee) presiding.

Present: Joe Pool, of Texas; Richard H. Ichord, of Missouri; and August E. Johansen, of Michigan.

Staff members present: Francis J. McNamara, director, Alfred M. Nittle, counsel, and Donald T. Appell, investigator.

Mr. Pool. The committee will come to order.

Before we get started I have an opening statement I want to read and I would like to know if Donna Allen, Dagmar Wilson, and Russell Nixon are in the room? Will you identify yourselves.

Mrs. WILSON. My name is Dagmar Wilson.

Mrs. ALLEN. Donna Allen.

Mr. NIXON. Nixon.

Mr. POOL. The Internal Security Act of 1950, a bill reported by this committee, contained provisions which barred aliens of certain types from admission to the United States either as immigrants or as nonimmigrant visitors.

The Congress subsequently incorporated these provisions in Public Law 414 of the 82d Congress, generally known as the McCarran-Walter Act or the Immigration and Nationality Act of 1952.

Section 212, subsection (a), paragraphs (27) and (29) of that act classify certain types of aliens as inadmissible to this country and not subject to admission under provisions found elsewhere in the act; namely, paragraph (28) of the same subsection and paragraph (3) of subsection (d).

Section 212, subsection (a), paragraph (28) of the act also classifies certain types of aliens as inadmissible. However, it contains a subparagraph (1) which grants to the Attorney General, on recommendation of the consular officer, the authority to issue them entry visas under certain conditions. This subparagraph provides, however, that their admission must always be "in the public interest." In addition, it applies only to aliens inadmissible under paragraph (28).

Section 212(d)(3) grants the Attorney General, on recommendation of the consular officer or the Secretary of State, discretionary power to waive the inadmissibility of certain aliens described in section 212(a) except for those barred under paragraphs

(27) and (29) of that section. Such waiver, however, applies only to temporary or non-immigrant visas.

Information which has been brought to the attention of the Committee on Un-American Activities indicates that the discretionary authority of the consular officer or the Secretary of State to recommend, and of the Attorney General to approve, the issuance of nonimmigrant visas are possibly being abused.

Preliminary investigation by the committee, authorized by the chairman several months ago, raises serious questions as to whether the intent of Congress is being followed in the admission to this country of aliens under the above-mentioned sections of the Immigration and Nationality Act of 1952.

The investigation has also raised the question of whether the available background information on certain aliens temporarily admitted to this country is being properly evaluated. This may be resulting in certain aliens being classified as ineligible under paragraph (28)—and therefore eligible for a waiver—when they properly come under paragraphs (27) or (29) and are therefore ineligible for admission under waiver.

This hearing was authorized by the committee at a meeting held on February 19, 1964. The minutes of that meeting read, in part, as follows:

"A motion was made by Hon. WILLIAM M. TUCK, seconded by Hon. Henry C. Schadeberg, and unanimously carried authorizing the holding of hearings in Washington, D.C., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, related to the following:

"1. Strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of those laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct those hearings may designate."

The order appointing the subcommittee to conduct these hearings is as follows:

"To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee, and take such testimony on said day or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any member indicates his inability to serve, please notify me.

"Given under my hand this 11th day of March 1964.

"EDWIN E. WILLIS,

"Chairman, Committee on Un-American Activities."

I also have a memorandum to Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a Subcommittee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964, hearing, and possibly on other days, before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"EDWIN E. WILLIS,

"Chairman, Committee on Un-American Activities."

Mr. Speiser, the subcommittee has met and considered your letter which is dated December 1, 1964, and has denied your request for a public hearing due to the fact that rule 26 is involved, which this committee has been very zealous in following, due to the fact that derogatory information might be revealed during these hearings, so your request has been denied.

Do you have any other reason or any other requests to make of the committee at this time?

Mr. SPEISER. Yes, sir. Has the committee made a determination under rule IV of the committee's rules that a public hearing might endanger national security?

Mr. POOL. I did not get your statement.

Mr. SPEISER. Has the committee made a determination under rule IV of the committee's rules of procedure that a public hearing might endanger national security?

Mr. POOL. You are asking me something here that might have taken place in executive session and I am not at liberty to answer your question unless the committee decides to make it public. That would be my answer to that.

Mr. SPEISER. I would like to make a motion then that the committee cannot properly hold an executive session unless they make such a determination and if such a determination has not been made that a public hearing should be ordered.

Mr. ICHORD. Mr. Chairman, may I ask is that the only request that he has prior to the committee taking up its business?

Do you have any further objections to the executive hearings?

Mr. SPEISER. The objections I stated in my letter and this is an additional one. Those are the two objections I have to an executive session.

Mr. ICHORD. I think we should take that under consideration, Mr. Chairman.

Mr. POOL. If you have no further statement or objections to make, then we will ask you all to step outside and we will make a determination of what the committee wants to do. Those are all the objections you have to raise before the testimony begins?

Mr. SPEISER. That is on the question of executive session as compared to a public

session. There may be other objections with regard to particular witnesses' testimony.

Mr. POOL. What other objections do you have at this time?

Mr. SPEISER. I do not know at this time, Mr. Chairman. I cannot say until the matter comes up before the committee. I can't make a statement there.

Mr. POOL. That is a good point. Who do you represent here now?

Mr. SPEISER. I represent Mrs. Allen and Mrs. Wilson.

Mr. POOL. All right. Mr. Nixon, do you have counsel?

Mr. NIXON. No, sir.

Mr. POOL. Would you like to state any objections at the present time before this hearing begins?

Mr. NIXON. I certainly associate myself with the objections stated by Mr. Speiser. I am not a lawyer. I would add the point that it would be unfortunate to require this kind of testimony, with the opprobrium of this kind of subpoena, in private without having a full public and press view of the proceedings. The hearing is in only one sense private, since the committee maintains to itself the privilege at a date of its own choosing, the privilege of releasing to the press either a summary, or a partial transcript, or a full transcript of the hearings, so it is in this sense also that I would add an objection to these proceedings going ahead in executive.

I think that the press and the public have a right to hear the proceedings.

Mr. POOL. That is all of the objections you have, plus the ones that you associated yourself with in Mr. Speiser's case?

Mr. NIXON. Yes, sir, I think so.

Mr. ICHORD. Mr. Chairman, I move that the committee go into executive session for consideration of the request.

Mr. POOL. All right. The witnesses and the attorney will be excused and we will call you back in when we get through with this deliberation. Make yourselves available outside in the hall if you will.

(At this point the witnesses and attorney left the hearing room and the subcommittee proceeded further in executive session, which proceedings were not reported, following which the witnesses and attorney returned to the hearing room.)

Mr. POOL. The committee will come to order.

Mr. Speiser, the subcommittee feels that you have misinterpreted rule IV. It requires that if the committee or a subcommittee believes interrogation of a witness in public might endanger national security it must then hear such witness in executive session.

It does not say that reasons of national security are the only ones that permit or justify executive session hearings. For your information we have considered all the applicable rules as the full committee did months ago and have determined this hearing will be held in executive session.

Mr. Nixon's request has also been considered in the light of all applicable rules and has been rejected.

Mr. SPEISER. Mr. Pool, am I to understand that a determination has been made that a public hearing would not endanger national security?

Mr. POOL. I have just read to you the statement here that was the determination of the subcommittee and it speaks for itself.

Mr. SPEISER. I will leave my question on the record as it is. I do not feel it was answered. I would like to raise a question as to the absence of a quorum at this time, Mr. Chairman.

(At this point Representative Bruce entered the hearing room.)

Mr. SPEISER. I withdraw it.

(At this point Representative Johansen entered the hearing room.)

Mr. POOL. I didn't get the last.

Mr. SPEISER. I raised the question of the absence of a quorum because Mr. Bruce and Mr. Johansen were not present. I withdraw it.

Mr. POOL. For the record there was a quorum here. It is a subcommittee of three members and Mr. ICHORD and myself constitute a quorum.

Mr. Nixon, if you will come forth and be sworn in, the other witnesses may be excused temporarily until they are called.

Mr. NIXON. Mr. Pool, I am not going to testify in this executive session. I am willing to testify in public session with the press and the public present, but for the reasons which I have stated here I am unwilling to proceed in this executive session.

Mr. POOL. I will direct you to come forward and be sworn.

Mr. NIXON. I think my statement speaks for itself, Mr. Pool.

Mr. POOL. For the last time I direct you to come forth and be sworn.

Mr. NIXON. I decline, as I have told you.

Mr. POOL. Let the record show that the chairman requested Mr. Nixon to come forth and be sworn and that he has refused to do so.

Mr. JOHANSEN. Mr. Chairman, let the record also show that all three members of the subcommittee were present.

Mr. POOL. Let the record so show. The other witnesses and the attorney will leave the room at the present time temporarily. Mr. Nixon, you remain.

(At this point Mrs. Wilson, Mrs. Allen, and Mr. Speiser left the room.)

Mr. ICHORD. Mr. Chairman, I ask that the other witnesses be called.

Mr. POOL. All right. Mr. Nixon, you will leave the room and the staff will call the other witness.

(At this point Mr. Nixon left the room.)

(All the witnesses and Mr. Speiser came back into the hearing room.)

Mr. POOL. I brought you witnesses and attorney in here to excuse you until 2 o'clock when we will meet back in this room.

Donna Allen, Dagmar Wilson, and Russell Nixon, let the record show, are excused until 2 o'clock.

Mr. SPEISER. Mr. Chairman, can you tell us at this time whether the hearing will be public at 2 o'clock?

Mr. POOL. You are excused until 2 o'clock. That's all I have to say to you at the present time.

(Whereupon, at 11:30 a.m., the hearing was recessed to reconvene at 2 p.m., the same day.)

[After recess]

(The subcommittee reconvened at 2:50 p.m., Mr. Pool, chairman of the subcommittee, presiding. Committee members present: Representatives Pool, Ichord, Johansen, and Bruce.)

Mr. POOL. The committee will come to order.

Mr. POOL. All right.

Will you escort Mr. Nixon on outside and call the next witness?

Call Donna Allen.

Donna Allen, will you rise and take the oath?

Mr. SPEISER. She would prefer to affirm.

Mr. POOL. All right.

Do you affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SPEISER. Mr. Chairman, you followed with "so help me God." You have made it an oath. You have changed the word "swear" to "affirm," and then added after it an affirmation.

Mr. POOL. You want to—

Mr. SPEISER. She wants to affirm, which is provided for in the committee rules and in title 1, section 1 of the United States Code. She may affirm.

Mr. ICHORD. Let the record show that the witness does affirm.

Mr. POOL. Do you affirm the oath as given?

TESTIMONY OF MRS. DONNA ALLEN, ACCOMPANIED BY LAWRENCE SPEISER, ATTORNEY AT LAW, WASHINGTON DIRECTOR OF AMERICAN CIVIL LIBERTIES UNION, 1101 VERMONT AVENUE NW., WASHINGTON, D.C.

Mrs. ALLEN. Yes, sir.

Mr. POOL. The Chair now recognizes Mr. Ichord.

Mr. ICHORD. I have nothing at this time, Mr. Chairman.

Mr. POOL. Counsel, will you proceed, then, with the questions?

Mr. NITTLE. Would you state your full name and residence for the record, please?

Mr. JOHANSEN. You do not need to stand up.

Mrs. ALLEN. Mr. Chairman, I don't feel that I can give any information to this committee unless the hearing is a public hearing and all the questions are asked in public and the answers that I have to give are given in public.

Mr. ICHORD. Mr. Chairman, may I be recognized at this point, then?

Mr. POOL. Yes.

Mr. ICHORD. Won't you be seated, Mrs. Willson?

Mrs. ALLEN. My name is Mrs. Allen.

Mr. ICHORD. Mrs. Allen, I am very sorry.

I would like to state to you, Mrs. Allen, and to your attorney, Mr. Speiser, that in the executive session I made a statement to the committee setting forth many reasons why I did not believe that your request for a public hearing should be accepted by the committee, and I also took this matter up with the Assistant Parliamentarian, Bill Cochran, Mr. Lewis Deschler, the House Parliamentarian being out of town, and Mr. Cochran agrees with me that the committee is definitely right in refusing a public session.

I would like to state to your attorney that I believe that you have definitely misconstrued rule No. IV. Rule No. IV of the committee rules requires an executive hearing if a public hearing might endanger national security.

Rule 26(m) of the House requires the hearing of a congressional committee to be in executive session if the committee determines that the evidence or testimony at any investigative hearing may tend to defame, degrade, or incriminate any person.

But I would like to point out to you that both rules do not restrict the right of a committee to hold executive sessions. There are some aspects of national security involved in this hearing, but it is not necessary to determine whether or not the national security would be endangered if your client, Mrs. Allen, is heard in public session.

We are here investigating the administration of the Immigration and Nationality Act of 1952, and in particular the administration of inadmissible aliens to the United States under the waiver provisions of section 212 of the Immigration and Nationality Act.

I would like to point out to you that there are many reasons why this hearing should be executive. Many of them I stated in the executive session out of your presence, which I do not think would be proper for me to go over at this time.

However, rule 26 I believe, is operative, and it is a reason why this hearing should be in executive session, and the committee also agrees that the national interest requires that the meeting be held in executive session.

You have raised an issue here, I believe, which goes to the very right of a committee of Congress to function effectively. We cannot permit a witness to tell the committee whether its hearings shall be executive or whether they shall be public. That decision must be reserved by a committee of Congress if it is to function effectively.

And I would advise you that your case is clearly governed by rule 26(g), which I dis-

cussed with the Assistant House Parliamentarian, and he read this rule, which gives this committee in his opinion the definite right to hold these hearings in executive session. Rule 26 (g) reads as follows:

"All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session."

The committee by majority vote in this case has ordered an executive session, and we considered all of the rules of the House and of the committee in the executive session, and the committee unanimously determined that we would have to deny your request for a public session.

Mr. SPEISER. May I respond, Mr. Ichord?

Mr. ICHORD. Yes, sir.

Mr. POOL. Identify yourself first, I believe.

Mr. SPEISER. I am Lawrence Speiser. I am the attorney for Mrs. Allen. I am the Washington Director of the American Civil Liberties Union.

Mr. POOL. You are not testifying, and you are not under oath.

Counsel, will you come here?

Mr. NITTLE. Mr. Speiser, do you appear here today as the attorney for the American Civil Liberties Union, or do you appear in an individual capacity as the attorney for Mrs. Allen?

Mr. SPEISER. I appear in both capacities. As an employee of the American Civil Liberties Union I have been available to represent witnesses who have been called before committees where we feel that the committee hearings affect the rights under the Bill of Rights, and for that reason I am in effect offering myself to Mrs. Allen, and I am representing her. There is no commercial fee going between us, but I am appearing as her attorney.

Mr. POOL. What was your original question?

Mr. NITTLE. The question was a question I intended to address to Mr. Speiser.

Mr. POOL. You did not finish the question?

Mr. NITTLE. No, but it was the question I just asked him, Mr. Chairman.

Mr. ICHORD. Does Mr. Speiser have an objection going to the jurisdiction of the committee?

Mr. SPEISER. I would like to respond to your comments, if I may, Mr. ICHORD, on the question of executive session as compared to a public hearing.

Mr. ICHORD. Go right ahead.

Mr. SPEISER. As I read the rules of the House, I believe that that rule, 26(g), does not apply to the situation where you have subpoenaed witnesses to appear before the committee, because of the specificity that you have in rule 26(m) of the Rules of the House and of the rules that you have for the committee.

In a situation where you subpoena witnesses to appear before the committee, I think those kinds of rules apply. As far as rule 26(m), which you alluded to but did not specifically rely on, Mr. ICHORD, as I read it, and I must confess there is some ambiguity in looking at it, I feel that that is a situation where a witness is called before the committee, and where the committee feels that the testimony of that witness may tend to defame, degrade, or incriminate some other person, and in that situation the committee first receives the testimony of that person in executive session to prevent the malicious, the false, the unnecessary defaming, degrading, or incriminating some other person.

There has been no indication at all, as far as I can see from my contacts with Mr. McNamara, that there is any impression that Mrs. Allen's testimony would fall within that category, that anything that she would give would defame, degrade, or incriminate some-

one else, so I do not think that rule applies for having an executive session, and that is the reason I think that rule IV, which is the other rule, and which is a later rule, would apply as far as this hearing is concerned.

Now, I think that you seem to indicate, Mr. ICHORD, that there was a national security aspect of this, although I had posed the question before, and I did not get a direct response, and I thought that had been washed out.

Mr. ICHORD. I would state to you that the committee did not make any determination as to whether there was with these particular witnesses. This is a continuation of these hearings, and there have been aspects of the national security involved.

We have determined that it is within the national interest. We did not make any determination as to rule No. IV as concerns you now.

Mr. POOL. I would like to state to you at this time that all applicable rules of the House and of the committee were considered in our determination before the subcommittee.

Is that not right, Mr. ICHORD?

Mr. ICHORD. Yes, sir.

Mr. POOL. Is that not right, Mr. Johansen?

Mr. JOHANSEN. Yes.

Mr. ICHORD. Under rule No. IV we concluded that you were not entitled to a public session. That is a rule of the committee.

Mr. SPEISER. As I understand it, because you have used two terms, one "national interest," and then the other one, "national security," you have not made a determination as a committee that under rule IV this shall be held in executive session, because to hold a public hearing would endanger national security.

Mr. POOL. All rules of the House and of the committee were considered in making this determination.

Mr. SPEISER. I have responded as I think the record should indicate, and I believe—

Mr. JOHANSEN. Mr. Chairman, it is my clear understanding that is the position of the subcommittee that while rule IV forbids an open hearing under certain circumstances, it does not for that reason forbid an executive hearing if it is the determination of the committee that such should be held.

Mr. ICHORD. That is true, Mr. Johansen, and I might say that I checked with the Parliamentarian, and he concurred in the committee's belief.

Mr. POOL. Anything further on your part?

Mr. SPEISER. No, I am finished, Mr. Chairman.

Mr. POOL. All right, counsel.

Mr. NITTLE. Mrs. Allen, would you now state your full name and address for the record, please?

Mrs. ALLEN. Mr. Chairman, I am unable to give any information in a secret hearing, because I believe that everything I have to say, as well as the questions that are asked of me, should be open to the public and the press.

Mr. POOL. Mrs. Allen, I direct you as chairman of this committee, to answer the question as propounded to you by counsel.

(The witness conferred with her counsel.)

Mrs. ALLEN. Mr. Chairman, I am unable to give information in executive session unless it is open to the public, where the questions and my answers are known to the public.

Mr. JOHANSEN. Mr. Chairman, on the face of it, the witness' statement is not accurate. It is not a question of her being unable to. She either will do it, or refuses to do it. It is that simple, and the phraseology, "I am unable to do it" is not adequate to the situation.

Mr. POOL. I direct you for the last time to answer the question as propounded to you by counsel.

Mrs. ALLEN. I will accept the gentleman's language, but I insist upon a public hearing.

Mr. JOHANSEN. And you refuse to answer at this hearing?

Mrs. ALLEN. I insist on a public hearing.

Mr. JOHANSEN. And you refuse to answer here and now?

(The witness conferred with her counsel.)

Mr. JOHANSEN. Is that so?

Mrs. ALLEN. I refuse to answer in an executive session.

Mr. POOL. Next question, counsel.

Mr. NITTLE. Mr. Speiser, I want to clarify for the record a statement you have made, and I want to do this in your presence and in the presence of your client.

Did I understand you to say that the committee has merely alluded to rule 26(m), and that you did not understand it to make a specific finding that that rule was applicable in this case?

Mr. SPEISER. That was my impression. As I understand it, the committee was not relying alone on any single rule, and did not make a finding with respect to any single rule, but you in effect said the executive session is based on all applicable rules of the committee and in particular the only allusion that you made in which you made a specific finding was on rule 26(g).

Am I correct in that?

Mr. ICHORD. As I understand the action of the committee, we did find under 26(m) specifically, and also under rule 26(g), and all of the other rules. We are ruling on your request for a public session under all of the House rules. That takes into consideration 26(m), and the committee rules, and the House rules.

We have ruled that you are not entitled to a public session, and I might—of course you are an attorney advising your client—advise you that the House Parliamentarian concurred in the statement that I have just made.

In other words, Mr. Speiser, a committee of Congress has the right to determine whether its meetings shall be executive or in public session.

There are many reasons why in the public interest, in the national interest, these hearings should be in executive session.

Mr. NITTLE. Will the fact that the committee has made a specific finding that paragraph 26(m) of rule XI of the House is applicable, and that the testimony sought to be elicited from the witness, Mrs. Donna Allen, may and will tend to defame, and degrade, and incriminate other persons alter your advice to your client?

If so, we would ask you to retire and consider it. Before you do so, however, I want to ask you a further question.

Did I understand you to say that the staff director of this committee, Mr. Francis McNamara, advised you that rule 26(m) would not be applicable?

Mr. SPEISER. No, I did not say that, and I do not think that Mr. McNamara intended that. My contact with Mr. McNamara was two phone calls, but primarily the information I received from him was that the committee was interested in the fact that Mrs. Allen had gone to the State Department to urge that either a visa or a waiver of a determination of nonentry be given to a Professor Yasui last year, and on the basis of that statement of Mr. McNamara's I cannot see how rule 26(m) applies, and I have two answers to the first part of your question, if I may give them, Mr. Nittle.

The first one is that if the committee is interpreting rule 26(m) in terms of defaming, degrading, or incriminating the witness who is subpoenaed before the committee, I think that the committee is misinterpreting the House rule, and secondly, I think that the committee and other committees in the past then have been continuously misin-

terpreting the House rule by calling people before the committee who the committee has known would be defamed, or degraded, or incriminated by being called before the committee.

My feeling is, and my legal opinion is, that rule 26(m) was intended to protect the names of other people who would be named in the testimony of an individual called before the committee.

I have a second point, which is that if the committee is thinking in terms of relying on rule 26(m) in citing Mrs. Allen for contempt, then I would say that you cannot do it, because if this rule is as ambiguous as it appears to be, I think that the committee has failed to follow the rules that due process would dictate, and the House has failed in having a clear unambiguous rule, so that an individual would know his rights in a hearing before a congressional committee.

I think because of that ambiguity that rule 26(m), both as it has been interpreted in the past and in your suggestions to us today, is so vague and ambiguous you cannot rely on that in holding a person in contempt for violating it.

Mr. ICHORD. Mr. Speiser, I would state to you that the witness is not called before this committee to be prosecuted. This is an investigative hearing. The witness is not a defendant. The committee has ruled that rule 26(m) is operative, and even if it is not operative, the committee has other reasons for holding this hearing in executive session, which I discussed in the executive committee meeting, and we are relying on all of the rules of the House in denying your request for a public hearing, and the rules of the committee, also, so I think you should advise your client accordingly, which I am sure you will.

Mr. SPEISER. Thank you for the courtesy. We have discussed this, and I believe that Mrs. Allen has determined what her position would be in the light of our consultations before we reached here.

Mr. NITTLE. I want to state further, Mr. Speiser, in the presence of your client, that I have just talked to Mr. McNamara, and he advises me that he at no time advised you that interrogation of Mrs. Allen would not involve other persons in a defamatory, degrading, or incriminatory manner.

Mr. SPEISER. If the hearing is concerned, as I was under the impression in talking with Mr. McNamara, to this visit by Mrs. Allen to the State Department, and I have some difficulty in determining how there would be defamation, or degradation, or incrimination of some other person, then I feel that the committee is under an obligation to indicate in some fashion before the hearing starts, so that you could have an executive session as to—

Mr. POOL. I answered that. My opening statement covered that.

Mr. ICHORD. Mr. Speiser, your contention would put the committee in a very difficult position. Oftentimes when we hold executive sessions, we have been accused of conducting star chamber proceedings. Then when we hold a public session, we are accused of subjecting the witness to public contempt.

Now, I might say that in this hearing the witness was subpoenaed. It is my information from the staff, and I asked the staff specifically to give me a report on this, that there was no relief made of these subpoenas being authorized by the committee, and certainly she would have been outside the glare of any adverse publicity which might have come her way if she contends that appearing before this committee subjected her to public contempt, but those are not the reasons. There are reasons in this case which are set out in the rules why we want the hearings in executive session.

I think perhaps we understand one another as far as the law is concerned.

Mr. POOL. Has she answered your last question?

Mr. NITTLE. Yes.

Mr. POOL. She refused to answer, I believe, did she not?

Mr. NITTLE. No, she has refused to testify on the basis that she demands a public session.

Mr. POOL. Ask another question, counsel.

Mr. NITTLE. I want to make clear to Mr. Speiser he has raised a question as to whether this inquiry would involve other persons in a derogatory or incriminating manner. I want to state to him that the principal inquiry is as was outlined to you very briefly by the staff director, but an inquiry into those circumstances will involve other persons possibly in a degrading or incriminatory fashion, and the committee has made its determination under 26(m) that this hearing should be conducted in executive session for that reason.

Mr. POOL. Now ask your next question.

I think we should go back and ask her her name again.

(The witness conferred with her counsel.)

Mr. NITTLE. Would you state your full name and residence for the record, please?

Mrs. ALLEN. Mr. Chairman, in no possible way would any testimony that I would give or information be derogatory or defamatory to any individual.

I refuse to give any information or testimony except in a public hearing.

Mr. POOL. I direct you to answer the question that counsel asked you.

Mrs. ALLEN. I refuse to give any information or testimony except in a public hearing.

Mr. POOL. I will direct you one more time to answer the question, and of course your counsel is sitting there, and he can advise you as to your rights and of any possible prosecution for contempt of this Congress.

(The witness conferred with her counsel.)

Mrs. ALLEN. I refuse to give any information or testimony except in public hearing.

Mr. POOL. All right.

Mr. NITTLE. Mr. Speiser, we want to further clarify your conversation with Mr. McNamara. Do you claim that Mr. McNamara stated that Mrs. Allen would be asked no questions except one concerning what actually transpired in the course of her visit to the State Department?

Mr. SPEISER. I do not believe Mr. McNamara said that, but this was the implication that I received, that the reason that Mrs. Allen, and I might say Mrs. Wilson, were called was concerning their visit to the State Department to urge the issuance of a waiver or a visa to Professor Yasui.

Mr. NITTLE. I think I should clarify one further thing. Mrs. Allen has indicated that she is not aware, and so far as she knows, none of her testimony would involve other persons, in the light set forth in rule XI, 26(m). I want to advise her that her interrogation proposes to go into certain matters which, in our judgment, would involve other persons in such a light.

You are aware that the committee is seeking to ascertain facts relating to the strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens generally inadmissible under the provisions of the Immigration and Nationality Act.

We are today particularly inquiring into the circumstances surrounding the entry into the United States of Prof. Kaouri Yasui, who has actively served the world Communist movement and its front organizations.

Mr. POOL. Mrs. Allen, you were here when I read my opening statement and covered the investigation, as to what we were attempting to do here, and with that in mind, do you still refuse to answer as to your name?

(The witness conferred with her counsel.)

Mrs. ALLEN. Yes, sir.

Mr. POOL. I direct you to answer the question that counsel put to you in regard to asking your name.

Mrs. ALLEN. Yes, sir.

I will not give any information or testimony except in public hearing.

Mr. POOL. You refuse to answer?

Mrs. ALLEN. Yes, sir, for that reason.

Mr. JOHANSEN. If you were asked questions which involved derogatory information or information which tended to degrade and defame other persons, would you refuse to answer those?

Mrs. ALLEN. My dear sir, I have no derogatory or defamatory information to my knowledge about anyone.

Mr. JOHANSEN. I did not ask you that. I asked you if you were asked questions which involved that sort of information, would you refuse to answer in executive session?

(The witness conferred with her counsel.)

Mrs. ALLEN. I don't know how to answer a hypothetical question, sir.

Mr. JOHANSEN. It is very clear from the statement of the chairman and counsel that there are questions of that character that would be asked.

That is all I have.

Mr. ICHORD. Let me ask the counsel a question.

It is your position that the witness does not come under 26(m), and that it is not a 26(m) hearing? Then if the witness demands a public hearing, the committee has to grant a public hearing?

Mr. SPEISER. I am frank to say—

Mr. ICHORD. And under rule No. IV?

Mr. SPEISER. I don't quite know what 26(m) does mean, and I don't think anybody else does. I think 26(m) is vague and ambiguous, and I think that the House is hoisted by its own petard on 26(m) for that reason.

Mr. ICHORD. I am not trying to tell you how to practice law or advise your witness, but I pointed out 26(g), which in the opinion of the committee and in the opinion of the House Parliamentarian gives the committee the discretion to hold an executive session. That is what the committee has held, and that is why we are demanding that your client testify.

Mr. SPEISER. If 26(g) gives the committee the authority in its absolute discretion to determine when it will hold executive sessions, then 26(m) means nothing, and it should not be in there, but if 26(m) has some validity, then I think it does amend the power of the committee to operate in determining when executive sessions are held.

You do not pass rules for the mere sake of passing rules. There must be a reason for it. And I think that 26(m) is a rule which requires the committee to give some kind of indication that the testimony of a witness about a subject which has been announced by the committee may tend to defame, or degrade, or incriminate someone, and there is no indication of that at all, if I interpret correctly the kind of information which Mrs. Allen is ready to give the committee in an open, public hearing.

Mr. ICHORD. Of course that is a determination for the committee to make, not you, and the committee has decided that it is in the national interest to hold these hearings in executive session.

Mr. SPEISER. The committee, I might suggest, has to be concerned as to whether it has this information available to present to a court of law to justify holding the executive sessions, because I think the committee is going to be placed in that position.

Mr. ICHORD. I believe I read in executive session some very compelling reasons, and I advised you why these hearings should be in executive session, and with that I would ask you again to advise your client accordingly, under possible penalty of contempt.

I want to be completely fair to you and to the witness.

Mr. SPEISER. I appreciate your concern, Mr. Ichord.

Mr. NITTLE. May I also state, Mr. Chairman, and to Mrs. Allen, that the questioning is expected to involve the activities of persons in organizations designated or known as Communist or subversive.

(The witness conferred with her counsel.)

Mr. NITTLE. Mrs. Allen, did you hear the statement that I made, and did you understand it?

Mrs. ALLEN. I heard you, yes.

Mr. ICHORD. I might add, Mr. Counsel, that I personally do not think that the witness testimony in public session would endanger the public security, but this is one of several hearings, and there are other compelling reasons why these should be in executive session.

Go ahead with your questioning, Mr. Counsel.

Mr. POOL. I am going to ask you for the last time, and I am going to direct you for the last time, to answer the question that counsel asked you.

Mrs. ALLEN. Mr. Chairman, I refuse to give any information or testimony in an executive hearing, but I will be willing to in public hearing.

Mr. POOL. You refuse to answer any questions asked to you by counsel or by the committee?

Mrs. ALLEN. Unless it is in a public hearing.

Mr. POOL. All right. With that you may take the witness outside, and call Dagmar Wilson.

Mr. NITTLE. One more question of the witness.

Do you make that statement and come to that conclusion irrespective of the fact that the interrogation may tend to incriminate, degrade, or defame other persons?

(The witness conferred with her counsel.)

Mrs. ALLEN. I don't understand. I don't understand your question.

Mr. NITTLE. The question was whether you take the position you do, that you will not testify in executive session, whether that position is taken irrespective of the fact that the interrogation that I propose to enter into with you will involve the activities of persons in organizations designated or known as Communist or subversive, and that may reflect upon such persons?

(The witness conferred with her counsel.)

Mrs. ALLEN. As I said before, I know of no information that would be either derogatory or defamatory about anyone. I couldn't possibly give any testimony that would degrade or defame anyone, and therefore I must refuse to testify or give any information at all except in a public hearing.

Mr. NITTLE. It is not a question of whether you know any information that is derogatory, but whether the testimony and evidence to be elicited in the interrogation will reflect upon other persons, a fact known to the committee, and upon which basis it made its determination.

Mrs. ALLEN. I don't know what the committee knows, but I only know that I have no such information.

Mr. ICHORD. Mr. Counsel, may I state this to her counsel?

Irrespective of whether there would be any information which would incriminate or disparage any other person, there are very pertinent reasons why these hearings should be in executive session. I have explained that to the counsel. She desires not to testify, and I ask that you call the next witness, Mr. Chairman.

Mr. POOL. Tell the witnesses they are excused.

(Whereupon, at 4:05 p.m., the subcommittee adjourned, subject to call of the Chair.)

APPENDIX II

1. The following is an extract from the minutes of a meeting of the Committee on

Un-American Activities held on February 26, 1963:

"The Committee on Un-American Activities met in executive session on Tuesday, February 26, 1963, at 3 p.m., in room 225 of the Old House Office Building. The following members were present: Clyde Doyle, acting chairman; William M. Tuck, Joe R. Pool, August E. Johansen, Henry C. Schadeberg.

"Also present were the following staff members: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; Juliette P. Joray, recording clerk; and Rosella A. Purdy, secretary.

"The acting chairman opened the meeting at 3:20 p.m. and explained to the members present that the meeting was called to consider several resolutions necessary to the reorganization of the committee for the 88th Congress.

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session."

"On motion made by Mr. Johansen, and seconded by Mr. Pool, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter, and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the rules of procedure revised by the Committee on Un-American Activities during the First Session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities," together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the Committee on Un-American Activities of the House of Representatives of the 88th Congress."

"The committee adjourned at 3:30 p.m.

"E. E. WILLIS,"

"Acting Chairman."

"JULIETTE P. JORAY,"

"Recording Clerk."

A copy of the aforesaid "Rules of Procedure—Committee on Un-American Activities," as revised in 1961, and as adopted in the foregoing resolution is attached to this Appendix and made a part hereof, marked as "Exhibit A."

2. The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 19, 1964:

"The Committee on Un-American Activities met in executive session on Wednesday, February 19, 1964, in room 356 of the Cannon

¹ Mr. WILLIS succeeded Mr. Doyle as acting chairman upon Mr. Doyle's decease.

House Office Building at 4:20 p.m. The following members were present: Edwin E. Willis, Chairman; William Tuck, Joe Pool, Richard Ichord, Henry Schadeberg.

"The following staff members were present: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; and Alfred M. Nittle, counsel.

"A motion was made by Mr. Tuck, seconded by Mr. Schadeberg, and unanimously carried authorizing the holding of hearings in Washington, D.C., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following:

"1. Strategy, tactics and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct these hearings may designate.

"The meeting adjourned at 4:40 p.m.

"EDWIN E. WILLIS,

"Chairman.

"FRANCIS J. McNAMARA,

"Director."

3. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, appointing a subcommittee to conduct a hearing as contemplated by the foregoing resolution of February 19, 1964.

MARCH 11, 1964.

To: Mr. Francis J. McNamara,
Director, Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee and take such testimony on said day or succeeding days as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 11th day of March 1964.

E. E. WILLIS,

Chairman, Committee on Un-American Activities.

4. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, designating Representative August E. Johansen to serve on the aforesaid subcommittee until such time as Representa-

tive Henry C. Schadeberg can resume his service on said subcommittee:

SEPTEMBER 4, 1964.

To: Mr. Francis J. McNamara,
Director, Committee on Un-American Activities.

On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February, 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has notified me of his inability to serve on said subcommittee at its hearing scheduled for 10 a.m., Wednesday, September 9, 1964.

I hereby designate Hon. August E. Johansen to serve on said subcommittee in the place of Mr. Schadeberg at the hearing scheduled for September 9, 1964, and until such time as Mr. Schadeberg can resume his service on said subcommittee.

E. E. WILLIS,

Chairman, Committee on Un-American Activities.

The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on November 18, 1964:

"A subcommittee of the Committee on Un-American Activities met in executive session on Wednesday, November 18, 1964, in room 225 of the Cannon House Office Building, Washington, D.C., at 11 a.m. The following members were present: Mr. Pool, chairman; Mr. Ichord (entered at 11:30 a.m.), Mr. Schadeberg. Mr. Johansen was also present.

"The following members of the committee staff were present: Francis J. McNamara, director; William Hitz, general counsel; Donald Appell, chief investigator; Mrs. Mary Valente, acting recording clerk.

"The director stated to the subcommittee that it was necessary to the committee inquiry relating to the entry of aliens into the United States and other matters to hear testimony from Dagmar Wilson, Donna Allen, and Russell A. Nixon. He explained why the testimony of these three individuals was necessary to the inquiry. On motion of Mr. Ichord, seconded by Mr. Schadeberg, the following resolution was unanimously adopted by the subcommittee:

"Whereas the director of the committee explained the reasons why Dagmar Wilson, Donna Allen, and Russell A. Nixon should have knowledge of facts relevant and material to the investigations and hearings authorized by the committee resolution of February 19, 1964, relating to the entry of aliens into the United States, and other matters: Now, therefore, be it

"Resolved, That the subcommittee is of the opinion that the within-named persons should be required to attend the said hearings and investigations as witnesses and to produce such books, papers, and documents, and to give such testimony as the subcommittee deems necessary; that the subcommittee deems such attendance to be necessary in furtherance of the committee's legislative purposes; and that the subcommittee authorizes subpoenas to be issued therefor in accordance with the provisions of law."

"The subcommittee agreed that Dagmar Wilson, Donna Allen, and Russell A. Nixon should be required to appear before the subcommittee on December 7, 1964, in executive session.

"The meeting adjourned at 12:25 p.m.

"JOE E. POOL,

"Chairman.

"MRS. MARY VALENTE,
"Acting Recording Secretary."

6. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, appointing Representative August E. Johansen to serve on the said subcommittee

in the place of Representative Henry C. Schadeberg:

"To: Mr. Francis J. McNamara, director,
Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings on contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964, hearing, and possibly on other days, before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"E. E. WILLIS,

"Chairman, Committee on Un-American Activities."

7. The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on December 7, 1964, at 10:08 a.m.

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in room 225, Cannon House Office Building at 10:08 o'clock a.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald G. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The director advised the members that a request had been received by the committee from Lawrence Spelser, director of the Washington office of the American Civil Liberties Union and attorney for Mrs. Dagmar Wilson and Mrs. Donna Allen, that the hearings scheduled for December 7 and 8 be canceled or held in public session rather than in executive session. Following a discussion during which the reasons for holding the hearings in executive sessions were fully explored, Mr. Ichord moved that Mr. Spelser's request be denied and that the hearings be held in executive session. Mr. Johansen seconded the motion and the chairman so ordered.

"The chief investigator briefed the members of Russell Nixon's background.

"The subcommittee agreed to have all three witnesses in the hearing room at the same time for the reading of the opening statement.

"The meeting adjourned at 10:15 a.m.

"JOE R. POOL,

"Chairman of Subcommittee.

"JULIETTE P. JORAY,

"Recording Clerk."

The following letter dated December 1, 1964, on the letterhead of the Washington office of the American Civil Liberties Union, and signed by Lawrence Spelser, director of the Washington office, is the request to which reference is made in the above minutes as having been received by the committee from Lawrence Spelser:

"Hon. EDWIN E. WILLIS,
"Chairman, Committee on Un-American Activities, U.S. House of Representatives, Washington, D.C.

"DEAR CHAIRMAN WILLIS: I am the attorney for Mrs. Dagmar Wilson and Mrs. Donna

Allen who have been subpoenaed to appear before a subcommittee of the House Committee on Un-American Activities in an executive session concerning their personal visit to the State Department in 1963 to urge it to issue a visitor's visa to Prof. Kaoru Yasui so that he could fulfill speaking engagements all over the country.

"I have a great deal of difficulty in believing that you have authorized the issuance of subpoenas to Mrs. Wilson and Mrs. Allen for this reason. It would seem that the open and aboveboard personal visitation of American citizens to an executive agency to urge its authorization of the entry into this country of a speaker (whose entry was later approved) should not be the basis of any congressional investigation. On its face, such an investigation violates the first amendment's protection of the right of citizens to petition the Government and the right to hear all points of view.

"Accordingly, I respectfully request that the hearings be canceled. In the event that this request is not granted, then I request on behalf of Mrs. Wilson and Mrs. Allen that the hearings be public, rather than in executive session.

"Sincerely yours,

"LAWRENCE SPEISER,

"Director, Washington Office."

8. The following are the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 11 a.m.

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met on December 7, 1964. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald Appell, chief investigator.

"The subcommittee discussed and considered again the request previously received in a letter from Mr. Lawrence Speiser, attorney for Dagmar Wilson and Donna Allen, that the hearings be canceled or held in public. It also considered the additional requests Mr. Speiser made in the hearings prior to recess relative to a public hearing for his clients. In addition, the subcommittee considered the views and requests of Russell Nixon expressed prior to recess.

"The subcommittee, in its deliberations, viewed these requests in the light of all relevant committee resolutions and applicable rules of the House and the committee itself, including House rules 26(g) and 26(m), and committee rule IV. The subcommittee concluded that rule XI 26(g) was applicable, and that an executive session was desirable, for reasons of national interest, because of the area of Government operations involved, but which could not be disclosed to the witnesses at this time in any detail without violating that interest. It was also determined that rule XI 26(m) precluded a public hearing at this stage of the investigation because the proposed area of interrogation would involve persons, other than the witnesses, in a defamatory or possibly incriminating manner forbidden by the rule.

"The subcommittee unanimously concluded that the hearing should be continued in executive session and the requests of the witnesses for a public hearing denied.

"It was agreed that Mr. Ichord would prepare a statement expressing the subcommittee's determination, which he would make for the record when the hearing was reconvened at 2 p.m.

"It was agreed that, in the interim, Mr. Ichord would check with the Parliamentarian of the House to obtain his view of the issues confronting the subcommittee and determine whether or not he believed the position

adopted by the subcommittee was a correct one.

"The meeting adjourned at approximately 11:35 a.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Secretary."

The following are the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 2 p.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session in room 225, Cannon House Office Building, at 2 p.m. on December 7, 1964.

"The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator, and Juliette P. Joray, recording clerk.

"With further reference to the requests of Russell Nixon and Mr. Speiser on behalf of his clients, Mrs. Dagmar Wilson and Mrs. Donna Allen, discussed at the meetings held this day, Mr. Ichord reported to the subcommittee on his contacts with the Assistant Parliamentarian, William Cochrane, in the absence of the Parliamentarian, Mr. Deschler. Mr. Ichord stated that the Assistant Parliamentarian advised him that by virtue of the committee resolutions, committee rules and applicable House rules, the subcommittee was empowered to order an executive session.

"The committee deliberated and concluded that there were aspects of national interest involved which require the holding of these hearings in executive session and that rule XI, 26(m), was operative in that the area of interrogation of these three witnesses might tend to defame, degrade, or incriminate persons other than the witnesses. It was suggested that Mr. Ichord prepare a statement on behalf of the subcommittee, the contents of which were unanimously approved by the subcommittee, and which Mr. Ichord was to deliver upon the reconvening of the subcommittee following the recess.

"On motion of Mr. Ichord, seconded by Mr. Johansen and unanimously adopted, it was agreed that the requests of Mr. Nixon, Mrs. Wilson and Mrs. Allen, should again be denied.

"The meeting recessed at 2:45 p.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Secretary."

10. The following is an extract of the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 4:05 p.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session on December 7, 1964, in room 219 of the Cannon House Office Building at 4:05 p.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The subcommittee was called to order by the chairman who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of Russell Nixon to be sworn or examined as a witness; and the failures of Dagmar Wilson and Donna Allen to testify

at the hearings conducted by the said subcommittee on the 7th day of December 1964, and what recommendation it would make to the full committee regarding their citation for contempt of the House of Representatives.

"After full discussion of the testimony of Donna Allen, a motion was made by Mr. Ichord, seconded by Mr. JOHANSEN, and unanimously carried that a report of the facts relating to the refusal of Donna Allen to answer any question before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer any question, together with all of the facts in connection therewith, be referred to the Speaker of the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives, to the end that she may be proceeded against in the manner and form provided by law.

"The meeting adjourned at 4:15 p.m.

"JOE R. POOL,

"Chairman.

"JULIETTE P. JORAY,

"Recording Clerk."

11. The following is an extract of the minutes of a meeting of the full Committee on Un-American Activities held on December 10, 1964, at 10 a.m.:

"The Committee on Un-American Activities met in executive session on Thursday morning, December 10, 1964, in room 225, Cannon House Office Building, at 10 o'clock a.m. The following members were present: Edwin E. Willis, chairman; William Tuck, Joe R. Pool, Richard Ichord, Donald C. Bruce.

"Also present were the following staff members: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; Philip Manuel, investigator; and Juliette P. Joray, recording clerk.

"Chairman WILLIS called the meeting to order at 10:18 a.m. and announced that this special meeting of the committee was called, after notice to all committee members, for the purpose of considering a recommendation of the subcommittee headed by Mr. Pool, looking into the entry of aliens into the United States under waiver of ineligibility, that Russell Nixon, Dagmar Wilson, and Donna Allen be cited for contempt because of their refusals to testify before the subcommittee in executive session on Monday of this week, December 7.

"The chairman then directed Mr. Pool, chairman of the subcommittee, to report on the matter being considered by the committee.

Representative POOL reported to the committee that he was chairman of the subcommittee appointed by the chairman, composed of himself, Representatives Richard H. Ichord and August E. Johansen, to conduct hearings on December 7, 1964, at Washington, D.C., as contemplated under the resolution adopted by the committee on the 19th day of February, 1964; that the subcommittee met in executive session on December 7, 1964, in the Cannon House Office Building, Washington, D.C., to receive the testimony of Russell Nixon, Donna Allen, and Dagmar Wilson who had been duly subpoenaed to appear as witnesses before said subcommittee; the said meeting of the subcommittee was attended on December 7, 1964, by subcommittee chairman, Representative Joe R. Pool, and Representatives Richard H. Ichord, and August E. Johansen; that the witness, Russell Nixon, having appeared before the subcommittee, refused to be sworn or examined as a witness, willfully refused to answer any question pertinent to the question under inquiry, and willfully refused to give any testimony touching matters of inquiry committed before said subcommittee; and the said Donna Allen

appeared before the subcommittee, was administered an affirmation as a witness by the subcommittee chairman but willfully refused to testify in response to any question pertinent to the question or subject under inquiry; that the said Dagmar Wilson appeared before the subcommittee, was duly sworn as a witness, and when asked to state her name and residence for the record and whether she was represented by counsel, she responded to those questions, but thereupon and thereafter willfully refused to answer any question pertinent to the question under inquiry and willfully refused to give any testimony touching matters of inquiry before said subcommittee as required by her subpoena; that the subcommittee thereafter met in executive session, attended by the said subcommittee chairman, Representative Pool, and Representatives Ichord and Johansen, being all of the members of the said subcommittee; at which time, motions were made and unanimously adopted with respect to each of said persons, to wit, Russell Nixon, Donna Allen, and Dagmar Wilson, that a report of the facts relating to the refusal of each of them to testify before said subcommittee at said hearings after having been summoned to appear to testify before said subcommittee, be referred and submitted to the Committee on Un-American Activities as a whole, with a recommendation that a report and statement of fact with reference to the refusal of each of said witnesses to appear to testify as aforesaid, be made to and filed with the Speaker of the House, the House now being adjourned sine die, in order that the said Speaker may certify the same under the seal of the House, to the appropriate U.S. attorney to the end that each of said witnesses may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

"A motion was made by Mr. Pool, seconded by Mr. Tuck, that the subcommittee's report of the facts relating to the refusal of Donna Allen to testify before the said subcommittee at the hearings conducted before it in Washington, D.C., on the 7th day of December, 1964, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report the said failure of Donna Allen to the Honorable JOHN McCORMACK, Speaker of the House of Representatives, the House of Representatives now being adjourned sine die, in order that the said Speaker may certify the same to the U.S. attorney for the District of Columbia to the end that the said Donna Allen may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to forward such report and statement of fact constituting such failure of Donna Allen to the said Speaker of the House of Representatives. Following discussion, the motion was put to a vote and it was unanimously adopted. Mr. Pool asked for the yeas and nays to be recorded. The yeas and nays were taken. Mr. Willis voted 'yea,' Mr. Tuck voted 'yea,' Mr. Pool voted 'yea,' Mr. Ichord voted 'yea,' and Mr. Bruce voted 'yea.' Mr. Bruce also stated that he was authorized to vote the proxy of Mr. Johansen and that if he were present he would vote 'yea.' So the motion was agreed to.

"The meeting was adjourned at 11:15 a.m.

"EDWIN E. WILLIS,

"Chairman.

"JULIETTE P. JORAY,

"Recording Clerk."

REPORT AND STATEMENT OF FACT OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES, PURSUANT TO TITLE 2, UNITED STATES CODE, SECTIONS 192 AND 194, CONCERNING THE FAILURE OF RUSSELL NIXON TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The Committee on Un-American Activities, as created and authorized by the House

of Representatives through the enactment of Public Law 601 of the 79th Congress, section 121, subsection (q) (2), and under House Resolution 5 of the 88th Congress, duly caused to be issued a subpoena to Russell Nixon. The said subpoena directed Russell Nixon to be and appear before the said Committee on Un-American Activities, of which the Honorable EDWIN E. WILLIS is chairman, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at the hour of 10 a.m., at their committee room, 226 Old House Office Building, Washington, D.C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpoena served upon Russell Nixon is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To RUSSELL NIXON, Greeting:

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Monday, December 7, 1964, at 10 o'clock a.m., at their committee room, 226 Old House Office Building, Washington, D.C., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To Louis J. Russell or U.S. marshal, to serve and return.

"Given under my hand this 18th day of November, in the year of our Lord, 1964.

"JOE R. POOL.

"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the committee prior to the date of the hearing, please call or write to Staff Director, Committee on Un-American Activities, Washington, D.C., telephone Capitol 4-3121, extension 3051."

The said subpoena was duly served as appears by the return thereof by the U.S. marshal, who was duly authorized to serve the said subpoena. The return of the service by the said U.S. marshal is set forth in words and figures, as follows:

"Received this writ at New York, N.Y., on November 23, 1964, and on November 23, 1964, at 197 East Fourth Street, New York, N.Y., I served it on the within-named Russell Nixon by leaving a copy thereof or a subpoena ticket with Russell Nixon.

"ANTHONY R. MARASCO,

"U.S. Marshal.

"By JAMES E. O'TOOL,

"Deputy U.S. Marshal."

A subcommittee of the Committee on Un-American Activities, composed of Representatives Joe R. Pool, as chairman, Richard Ichord, and August E. Johansen, met and convened in executive session at or about 10 a.m., on December 7, 1964, in room 219, Cannon House Office Building, Washington, D.C., the said subcommittee members all being present. Russell Nixon having been duly summoned as a witness as aforesaid, was called as a witness on that day. He appeared before the subcommittee but willfully refused to be sworn or examined as a witness, willfully refused to answer any question pertinent to the question under inquiry, and willfully refused to give any testimony touching matters of inquiry committed to said committee as required by the said subpoena.

The record of the proceedings before the said subcommittee on Monday, December 7, 1964, so far as it affects the witness Russell Nixon, is set forth in appendix I, which is attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in appendix II, attached hereto and made a part hereof.

The foregoing willful refusal by the said Russell Nixon to give such testimony as required, in compliance with the said subpoena, deprived the committee of necessary and pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and places the said witness, Russell Nixon, in contempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities adopted at a meeting duly held on December 10, 1964, a copy of which is set forth in appendix II, on page 1395, this report and statement of fact constituting the failure of Russell Nixon is herewith transmitted to and filed with the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, the House of Representatives having adjourned sine die on October 3, 1964, and not being now in session, so that the Speaker may certify the same under the Seal of the House to the U.S. Attorney for the District of Columbia, pursuant to title 2, United States Code, sections 192 and 194, to the end that the said Russell Nixon may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

Respectfully submitted this 10th day of December 1964.

E. E. WILLIS,
Chairman, Committee on
Un-American Activities.

APPENDIX I

EXECUTIVE SESSION, ENTRY OF ALIENS INTO THE UNITED STATES, MONDAY, DECEMBER 7, 1964

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES.

Washington, D.C.

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in room 219, Cannon Building, Washington, D.C., Hon. JOE POOL (chairman of the subcommittee) presiding.

Present: Joe Pool of Texas; Richard H. Ichord, of Missouri; and August E. Johansen of Michigan.

Staff members present: Francis J. McNamara, director, Alfred M. Nittle, counsel, and Donald T. Appell, investigator.

Mr. POOL. The committee will come to order.

Before we get started I have an opening statement I want to read and I would like to know if Donna Allen, Dagmar Wilson, and Russell Nixon are in the room? Will you identify yourselves.

Mrs. WILSON. My name is Dagmar Wilson.

Mrs. ALLEN. Donna Allen.

Mr. NIXON. Nixon.

Mr. POOL. The Internal Security Act of 1950, a bill reported by this committee, contained provisions which barred aliens of certain types from admission to the United States either as immigrants or as non-immigrant visitors.

The Congress subsequently incorporated these provisions in Public Law 414 of the 82d Congress, generally known as the McCarran-Walter Act or the Immigration and Nationality Act of 1952.

Section 212, subsection (a), paragraphs (27) and (29) of that act classify certain types of aliens as inadmissible to this country and not subject to admission under provisions found elsewhere in the act, namely paragraph (28) of the same subsection and paragraph (3) of subsection (d).

Section 212, subsection (a), paragraph (28) of the act also classifies certain types of aliens as inadmissible. However, it contains a subparagraph (I) which grants to the Attorney General, on recommendation of the consular officer, the authority to issue

them entry visas under certain conditions. This subparagraph provides, however, that their admission must always be in the public interest. In addition, it applies only to aliens inadmissible under paragraph (28).

Section 212(d)(3) grants the Attorney General, on recommendation of the consular officer or the Secretary of State, discretionary power to waive the inadmissibility of certain aliens described in Section 212(a) except for those barred under paragraphs (27) and (29) of that section. Such waiver, however, applies only to temporary or nonimmigrant visas.

Information which has been brought to the attention of the Committee on Un-American Activities indicates that the discretionary authority of the consular officer or the Secretary of State to recommend, and of the Attorney General to approve, the issuance of nonimmigrant visas are possibly being abused.

Preliminary investigation by the committee, authorized by the chairman several months ago, raises serious questions as to whether the intent of Congress is being followed in the admission to this country of aliens under the above-mentioned sections of the Immigration and Nationality Act of 1952.

The investigation has also raised the question of whether the available background information on certain aliens temporarily admitted to this country is being properly evaluated. This may be resulting in certain aliens being classified as ineligible under paragraph (28)—and therefore eligible for a waiver—when they properly come under paragraphs (27) or (29) and are therefore ineligible for admission under waiver.

This hearing was authorized by the committee at a meeting held on February 19, 1964. The minutes of that meeting read, in part, as follows:

"A motion was made by Hon. WILLIAM M. TUCK, seconded by Hon. Henry C. Schadeberg, and unanimously carried, authorizing the holding of hearings in Washington, D.C., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, related to the following:

"1. Strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct these hearings may designate."

The order appointing the subcommittee to conduct these hearings is as follows:

"To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on

Un-American Activities consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee, and take such testimony on said day or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any member indicates his inability to serve, please notify me.

"Given under my hand this 11th day of March 1964.

"EDWIN E. WILLIS,
"Chairman, Committee on
Un-American Activities."

I also have a memorandum to Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a Subcommittee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964, hearing, and possibly on other days, before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"EDWIN E. WILLIS,
"Chairman, Committee on
Un-American Activities."

Mr. Speiser, the subcommittee has met and considered your letter which is dated December 1, 1964, and has denied your request for a public hearing due to the fact that rule XXVI is involved, which this committee has been very zealous in following, due to the fact that derogatory information might be revealed during these hearings, so your request has been denied.

Do you have any other reason or any other request to make of the committee at this time?

Mr. SPEISER. Yes, sir. Has the committee made a determination under rule IV of the committee's rules that a public hearing might endanger national security?

Mr. POOL. I didn't get your statement.

Mr. SPEISER. Has the committee made a determination under rule IV of the committee's rules of procedure that a public hearing might endanger national security?

Mr. POOL. You are asking me something here that might have taken place in executive session and I am not at liberty to answer your question unless the committee decides to make it public. That would be my answer to that.

Mr. SPEISER. I would like to make a motion then that the committee cannot properly hold an executive session unless they make such a determination and if such a determination has not been made that a public hearing should be ordered.

Mr. ICHORD. Mr. Chairman, may I ask it that the only request that he has prior to the committee taking up its business?

Do you have any further objections to the executive hearing?

Mr. SPEISER. The objections I stated in my letter and this is an additional one. Those

are the two objections I have to an executive session.

Mr. ICHORD. I think we should take that under consideration, Mr. Chairman.

Mr. POOL. If you have no further statement or objections to make, then we will ask you all to step outside and we will make a determination of what the committee wants to do. Those are all the objections you have to raise before the testimony begins?

Mr. SPEISER. That is on the question of executive session as compared to a public session. There may be other objections with regard to particular witnesses' testimony.

Mr. POOL. What other objections do you have at this time?

Mr. SPEISER. I do not know at this time, Mr. Chairman. I cannot say until the matter comes up before the committee. I can't make a statement there.

Mr. POOL. That is a good point. Who do you represent here now?

Mr. SPEISER. I represent Mrs. Allen and Mrs. Wilson.

Mr. POOL. All right. Mr. Nixon, do you have counsel?

Mr. NIXON. No, sir.

Mr. POOL. Would you like to state any objections at the present time before this hearing begins?

Mr. NIXON. I certainly associate myself with the objections stated by Mr. Speiser. I am not a lawyer. I would add the point that it would be unfortunate to require this kind of testimony, with the opprobrium of this kind of subpoena, in private without having a full public and press view of the proceedings. The hearing is in only one sense private, since the committee maintains to itself the privilege at a date of its own choosing, the privilege of releasing to the press either a summary, or a partial transcript, or a full transcript of the hearings, so it is in this sense also that I would add an objection to these proceedings going ahead in executive.

I think that the press and the public have a right to hear the proceedings.

Mr. POOL. That is all of the objections you have, plus the ones that you associated yourself with in Mr. Speiser's case?

Mr. NIXON. Yes, sir, I think so.

Mr. ICHORD. Mr. Chairman, I move that the committee go into executive session for consideration of the request.

Mr. POOL. All right. The witnesses and the attorney will be excused and we will call you back in when we get through with this deliberation. Make yourselves available outside in the hall if you will.

(At this point the witnesses and attorney left the hearing room and the subcommittee proceeded further in executive session, which proceedings were not reported, following which the witnesses and attorney returned to the hearing room.)

Mr. POOL. The committee will come to order.

Mr. Speiser, the subcommittee feels that you have misinterpreted rule IV. It requires that if the committee or a subcommittee believes interrogation of a witness in public might endanger national security it must then hear such witness in executive session.

It does not say that reasons of national security are the only ones that permit or justify executive session hearings. For your information we have considered all the applicable rules as the full committee did months ago and have determined this hearing will be held in executive session.

Mr. Nixon's request has also been considered in the light of all applicable rules and has been rejected.

Mr. SPEISER. Mr. POOL, am I to understand that a determination has been made that a public hearing would not endanger national security?

Mr. POOL. I have just read to you the statement here that was the determination of the subcommittee and it speaks for itself.

Mr. SPEISER. I will leave my question on the record as it is. I do not feel it was answered. I would like to raise a question as to the absence of a quorum at this time, Mr. Chairman.

(At this point Representative Bruce entered the hearing room.)

I withdraw it.

(At this point Representative Johansen entered the hearing room.)

Mr. POOL. I didn't get the last.

Mr. SPEISER. I raised the question of the absence of a quorum because Mr. Bruce and Mr. Johansen were not present. I withdraw it.

Mr. POOL. For the record there was a quorum here. It is a subcommittee of three members and Mr. ICHORD and myself constitute a quorum.

Mr. NIXON, if you will come forth and be sworn in the other witnesses may be excused temporarily until they are called.

Mr. NIXON. Mr. POOL, I am not going to testify in this executive session. I am willing to testify in public session with the press and the public present, but for the reasons which I have stated here I am unwilling to proceed in this executive session.

Mr. POOL. I will direct you to come forward and be sworn.

Mr. NIXON. I think my statement speaks for itself, Mr. POOL.

Mr. POOL. For the last time I direct you to come forth and be sworn.

Mr. NIXON. I decline, as I have told you.

Mr. POOL. Let the record show that the chairman requested Mr. Nixon to come forth and be sworn and that he has refused to do so.

Mr. JOHANSEN. Mr. Chairman, let the record also show that all three members of the subcommittee were present.

Mr. POOL. Let the record so show. The other witnesses and the attorney will leave the room at the present time temporarily. Mr. Nixon, you remain.

(At this point Mrs. Wilson, Mrs. Allen, and Mr. Speiser, left the room.)

Mr. POOL. Mr. Nixon, for the record we are now in executive session. The committee is called to order and for your information under rule 26 this committee is charged with the responsibility of having executive sessions when testimony might be given which might be derogatory to certain persons.

In view of this fact the subcommittee has decided this session shall be in executive session and I now therefore direct you to come forward and be sworn in.

Mr. NIXON. I guess we need to repeat what I have said before. You already have in the record certain objections to the executive character of this hearing and I have associated myself with all of the statements that have been made here. I associate myself with Mrs. Wilson and Mrs. Allen who will take the same position, and I repeat to you now that I am available to you for public hearing at which the public is present and the witness and at which the press is present and the witness.

I will not just speak further in this executive hearing.

Mr. POOL. Were you served with a subpoena to appear before this committee?

Mr. NIXON. Yes, sir.

Mr. POOL. Do you have any objections to the service of that subpoena?

Mr. NIXON. I accepted the subpoena.

Mr. POOL. You accepted it, and you are here today in accordance with the subpoena?

Mr. NIXON. Yes, sir.

Mr. POOL. But you are now refusing to appear and testify under oath?

Mr. NIXON. No. No, I am not. I am refusing to appear and testify under oath in executive, private hearing. I am available to testify under oath in a public hearing to which the press and the public is invited.

Mr. POOL. Mr. Nixon, the counsel for the committee would like to ask you a question.

Mr. NITTE. Mr. Nixon, have you been furnished with a copy of the rules of procedure of this committee and of the House?

Mr. NIXON. Yes, sir. Rules of the committee I have been furnished with, yes, sir.

Mr. NITTE. The copy with which you were furnished includes also a copy of the applicable rules of the House governing the procedures of all committees of Congress. I now hand you a copy of rule XI of the House and direct your attention particularly to paragraph 26(m) of the rules and I ask you to read paragraph 26(m) of the rules of the House.

Mr. NIXON. Twenty-six (m). If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person it shall—

(1) Receive such evidence or testimony in executive session;

(2) Afford such person an opportunity voluntarily to appear as a witness; and

(3) Receive and dispose of requests from such persons to subpoena additional witnesses.

Mr. NITTE. We advise you that the committee has met and considered the application of rule 26(m) to the testimony which it expects to receive from you and that by rule 26(m) we are precluded from receiving your testimony in public session.

Mr. NIXON. I understand from the proceedings that have gone on that there is no question of national security involved and I can assure you that I would not say anything that is derogatory to any person.

Mr. POOL. As chairman of the committee I would like the record to show that this subcommittee has made no such statement. We have considered all the rules of the committee in making our determination.

Mr. NIXON. The exchange with Mr. Speiser will speak for itself.

Mr. ICHORD. Mr. Nixon, I think as a member of the committee, and since you are not represented here by counsel today, that I should advise you that the rules of the House under certain situations require that the committee hearings be held in executive session.

There is no restriction upon the right of the committee to determine an executive session as I interpret the rule, and you may, by refusal to be sworn and testify before the committee, be possibly subjecting yourself to penalties of contempt, and I would advise you of that since you aren't represented by an attorney and ask that you be sworn and testify before this committee.

This committee is a duly established committee of Congress, and Congress and its committees does have the right to meet in executive session, and this committee in these hearings has many reasons to hold an executive session.

That is the reason we are asking you to testify in executive hearing today.

Mr. NITTE. Mr. Nixon, may I point out to you that the rule to which Mr. ICHORD has just referred is rule XI of the House, paragraph 26(g), which reads as follows:

"All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session."

You are informed that the committee has by majority vote ordered an executive session in the case of your appearance here. You are aware of that fact, are you not?

Mr. NIXON. I don't know anything about the majority vote. I was not present obviously. I don't challenge that, Mr. NITTE. I just tell you I don't know.

Mr. NITTE. I ask the chairman to inform Mr. Nixon of the fact that by a majority vote the committee has ordered an executive session.

Mr. POOL. That is correct. The committee has by majority vote decided that this shall be an executive session.

Mr. ICHORD. Mr. Nixon, would you like to consult with an attorney before you make this decision?

Mr. NIXON. Thank you very much, Mr. ICHORD. I don't need to consult an attorney.

Mr. BRUCE. Mr. Chairman, may I ask, Mr. Nixon, you did hear the statement by the chairman and understand that the committee by a majority vote did authorize an executive session? You now have heard that and you do understand it?

Mr. NIXON. Oh, yes, and I think you understand that I am ready to testify in public hearing, that my subpoena made no reference to executive session, and that I am available to the committee to testify in public, that it is my understanding there is no question of national security involved, and certainly as far as anything I would have to say before the committee there would be absolutely nothing derogatory of any nature.

Mr. JOHANSEN. Mr. Nixon, you are familiar of course with section VII of the rules of procedure of the committee? A VII: "At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing."

You are aware of that?

Mr. NIXON. Yes, I am aware of that.

Mr. JOHANSEN. And by your own choice you appear without counsel.

Mr. NIXON. I do not have counsel.

Mr. NITTE. Do you wish to consult counsel prior to making a firm determination today that you will not testify?

Mr. NIXON. No, I don't need to. You will find we all three agree.

Mr. NITTE. Do you wish to consult an attorney so that your position may be considered?

Mr. NIXON. No, sir.

Mr. NITTE. You bear in mind that your refusal to testify and to be sworn as a witness may result in a prosecution for contempt?

Mr. NIXON. I am always aware of the dangers when I come before this committee.

Mr. NITTE. You have referred to rule IV of the committee relating to executive sessions where a public hearing might endanger national security. We previously discussed the rules of the House relating to executive sessions. You are aware that the committee is bound by the rules of the House, are you not?

Mr. NIXON. Yes, sir.

Mr. NITTE. And if there is any conflict between the rules of the committee and the House the House rules would govern, is that correct?

Mr. NIXON. That is not a decision for me to make, is it?

Mr. NITTE. We inform you of that fact.

Mr. POOL. Mr. Nixon, as chairman of the committee I ask you and direct you to stand and be sworn. This will be the last time I make this directive.

Mr. NIXON. I give you the same answer. I can repeat it if you wish. You can read it from the record.

Mr. POOL. Do you refuse to be sworn?

Mr. NIXON. No, I don't refuse to be sworn. I refuse to be sworn at an executive hearing; available to be sworn and to be heard in a public hearing with the press and the public present.

Mr. POOL. I am going to give you the oath and then you can do what you wish.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ICHORD. Let the record show that the witness refused to be sworn and take the oath.

Mr. POOL. That is correct.

Mr. JOHANSEN. Let the record show that all three members of the subcommittee were present throughout these proceedings.

Mr. ICHORD. Mr. Chairman, I ask that the other witnesses be called.

Mr. POOL. All right. Mr. Nixon, you will leave the room and the staff will call the other witness.

(At this point Mr. Nixon left the room.)

(All the witnesses and Mr. Speiser came back into the hearing room.)

Mr. POOL. I brought you witnesses and attorney in here to excuse you until 2 o'clock when we will meet back in this room.

Donna Allen, Dagmar Wilson, and Russell Nixon, let the record show, are excused until 2 o'clock.

Mr. SPEISER. Mr. Chairman, can you tell us at this time whether the hearing will be public at 2 o'clock?

Mr. POOL. You are excused until 2 o'clock. That's all I have to say to you at the present time.

(Whereupon, at 11:30 a.m., the hearing was recessed to reconvene at 2 p.m., the same day.)

[After recess]

(The subcommittee reconvened at 2:50 p.m. Mr. POOL, chairman of the subcommittee, presiding. Committee members present: Representatives POOL, ICHORD, JOHANSEN, and Bruce.)

Mr. POOL. The committee will come to order. Mr. ICHORD?

Mr. ICHORD. Mr. Chairman, I see that the witness Nixon is present in the hearing room at this time, and for the benefit of the committee and for Mr. Nixon, I would like to summarize a statement which I made in the executive session, Mr. Nixon, just a few minutes ago as to why this committee should have these hearings in executive session, and I might state to you, Mr. Nixon, that I made the motion after making the statement for the reasons why, and that motion was carried unanimously by the committee.

At the meeting this morning, you objected to testifying in executive session and requested the committee to hold the hearings in public session. That request was overruled by the chairman, and you were later called and you refused to be sworn.

I would say to you, Mr. Nixon, that you have definitely misconstrued rule IV of the committee rules. Rule IV requires an executive hearing if a public hearing might endanger national security.

Rule XXVI(m) of the House requires a hearing of a congressional committee to be in executive session if the committee determines that evidence or testimony at any investigative hearing may tend to defame, degrade, or incriminate any person.

But I would like to point out to you, and you are not represented here by counsel today, that both rules do not restrict the right of a committee to hold executive sessions.

I might say to you that there are some aspects of national security involved in this hearing, but it is not necessary for the committee to determine whether or not the national security would be endangered if you were heard in public session.

We are here investigating the administration of the Immigration and Nationality Act of 1952, and in particular the administration of inadmissible aliens to the United States under the waiver provisions of section 212 of the Immigration and Nationality Act.

There are many reasons why this hearing should be executive, many which I discussed in executive hearing a few minutes ago, before the committee. I might say that I believe that rule 26(m) is operative here. The committee believes that rule 26(m) is operative and has so held.

The committee believes that it is in the national interest to hold these hearings in executive session, but I would say to you that at issue here is the very right of a committee of Congress to function effectively. We cannot permit a witness to tell the

committee when its hearings shall be public and when its hearings shall be executive. That is a decision which has to be made by the committee if it is to function in the public interest.

Your refusal to testify is governed by rule 26(g) of the House, which reads as follows, and I might say to you, sir, that I have had several telephone conversations with the Assistant House Parliamentarian, Bill Cochran, and he advises me that the committee is right in requiring you to testify in executive session.

Rule 26(g) reads as follows:

"All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session."

We have taken this matter under consideration and have voted unanimously that you be heard, and we have done this in complete fairness to you, after checking with the House Assistant Parliamentarian, and I would advise you, sir, as an attorney myself, and which the Assistant House Parliamentarian concurs in, that you should be sworn.

If you want to consult a lawyer I think perhaps the chairman would give you that right.

Mr. POOL. I would like to further state that in the consideration by the subcommittee of your request that it not be an executive session, all the applicable rules of the House and of the committee were considered.

Is that your understanding, Mr. ICHORD, that all these rules were considered?

Mr. ICHORD. Oh, yes, all of them.

Mr. POOL. Mr. JOHANSEN, that is your understanding on that, too?

Mr. JOHANSEN. Yes.

I suggest, Mr. Chairman, in the light of this statement by Mr. ICHORD, that the chairman now instruct the witness to take the oath.

Mr. POOL. All right, Mr. Nixon, if you will stand and be sworn.

Mr. NIXON. Mr. POOL, I have made my position very clear on this, and I haven't changed it.

Mr. POOL. I am going to give you the oath and give you this one other chance, and I am going to direct that you take the oath.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

I direct that you take the oath and be sworn.

Mr. NIXON. I have already given you the grounds for my refusal to do so in an executive session.

Mr. POOL. And you do now refuse to take it?

Mr. NIXON. I repeat the reasons which I have already presented to this committee and I refuse to take this oath at this time in this executive session.

Mr. POOL. All right.

Will you escort Mr. Nixon on outside and call the next witness? Call Donna Allen.

Mr. POOL. Tell the witnesses they are excused.

(Whereupon, at 4:05 p.m., the subcommittee adjourned, subject to call of the Chair.)

APPENDIX II

1. The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 26, 1963:

"The Committee on Un-American Activities met in executive session on Tuesday, February 26, 1963, at 3 p.m. in room 225 of the Old House Office Building. The following members were present: Clyde Doyle, acting chairman; William M. Tuck, Joe R. Pool, August E. Johansen, Henry C. Schadeberg.

"Also present were the following staff members: Francis J. McNamara, director; Frank S.

Tavener, Jr., general counsel; Juliette P. Joray, recording clerk; and Rosella A. Purdy, secretary.

"The acting chairman opened the meeting at 3:20 p.m. and explained to the members present that the meeting was called to consider several resolutions necessary to the reorganization of the committee for the 88th Congress.

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

"On motion of Mr. Tuck and seconded by Mr. Johansen, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session."

"On motion made by Mr. Johansen, and seconded by Mr. Pool, the following resolution was unanimously adopted, with Mr. Doyle voting the proxy of Mr. Walter, and Mr. Tuck voting the proxy of Mr. Willis:

"Resolved, That the rules of procedure revised by the Committee on Un-American Activities during the 1st session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities," together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the rules of the Committee on Un-American Activities of the House of Representatives of the 88th Congress."

"The committee adjourned at 3:30 p.m.

"E. E. WILLIS,¹

"Acting Chairman.

"JULIETTE P. JORAY,

"Recording Clerk."

A copy of the aforesaid "Rules of Procedure—Committee on Un-American Activities," as revised in 1961, and as adopted in the foregoing resolution, is attached to this appendix and made a part hereof, marked as "Exhibit A."

2. The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 19, 1964:

"The Committee on Un-American Activities met in executive session on Wednesday, February 19, 1964, in room 356 of the Cannon House Office Building at 4:20 p.m. The following members were present: Edwin E. Willis, chairman; William Tuck, Joe Pool, Richard Ichord, Henry Schadeberg.

"The following staff members were present: Francis J. McNamara, director, Frank S. Tavener, Jr., general counsel; and Alfred M. Nittle, counsel.

"A motion was made by Mr. Tuck, seconded by Mr. Schadeberg, and unanimously carried authorizing the holding of hearings in Washington, D.C., or at such other place

¹ Mr. Willis succeeded Mr. Doyle as acting chairman, upon Mr. Doyle's decease.

or places as the chairman may designate, on such date or dates as the chairman may determine, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following:

"1. Strategy, tactics, and activities of members of the Communist Party and Communist organizations in aiding the entry into the United States of aliens inadmissible under the provisions of the Immigration and Nationality Act;

"2. Security aspects of the temporary admission to the United States of aliens who are inadmissible under provisions of the Immigration and Nationality Act, for the legislative purpose of determining whether the exigencies of the situation require a strengthening of the security provisions of the Immigration and Nationality Act;

"3. The execution by the administrative agencies concerned of the security provisions of the Immigration and Nationality Act, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary; and

"4. Any other matter within the jurisdiction of the committee which it or any subcommittee thereof appointed to conduct these hearings may designate.

"The meeting adjourned at 4:40 p.m.

"EDWIN E. WILLIS,

"Chairman.

"FRANCIS J. McNAMARA,
"Director."

3. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, appointing a subcommittee to conduct a hearing as contemplated by the foregoing resolution of February 19, 1964.

MARCH 11, 1964.

To: Mr. Francis J. McNamara, Director, Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Hon. Richard Ichord and Hon. Henry C. Schadeberg as associate members, and Hon. Joe R. Pool, as chairman, to conduct a hearing in Washington, D.C., on Thursday, March 12, 1964, at 3 p.m., as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the entry of aliens into the United States and other matters under investigation by the committee and take such testimony on said day or succeeding days as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 11th day of March 1964.

E. E. WILLIS,

Chairman, Committee on Un-American Activities

4. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, designating Representative August E. Johansen to serve on the aforesaid subcommittee until such time as Representative Henry C. Schadeberg can resume his service on said subcommittee:

"SEPTEMBER 4, 1964.

"To: Mr. Francis J. McNamara, director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord, and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, re-

lating to the entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has notified me of his inability to serve on said subcommittee at its hearing scheduled for 10 a.m., Wednesday, September 9, 1964.

"I hereby designate Hon. August E. Johansen to serve on said subcommittee in the place of Mr. Schadeberg at the hearing scheduled for September 9, 1964, and until such time as Mr. Schadeberg can resume his service on said subcommittee.

"E. E. WILLIS,

"Chairman, Committee on Un-American Activities."

5. The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on November 18, 1964:

"A subcommittee of the Committee on Un-American Activities met in executive session on Wednesday, November 18, 1964, in room 225 of the Cannon House Office Building, Washington, D.C., at 11 a.m. The following members were present: Mr. Pool, chairman; Mr. Ichord (entered at 11:30 a.m.), Mr. Schadeberg. Mr. Johansen was also present.

"The following members of the committee staff were present: Francis J. McNamara, director; William Hitz, general counsel; Donald Appell, chief investigator; Mrs. Mary Valente, acting recording clerk.

"The director stated to the subcommittee that it was necessary to the committee inquiry relating to the entry of aliens into the United States and other matters to hear testimony from Dagmar Wilson, Donna Allen, and Russell A. Nixon. He explained why the testimony of these three individuals was necessary to the inquiry. On motion of Mr. Ichord, seconded by Mr. Schadeberg, the following resolution was unanimously adopted by the subcommittee:

"Whereas the director of the committee explained the reasons why Dagmar Wilson, Donna Allen, and Russell A. Nixon should have knowledge of facts relevant and material to the investigations and hearings authorized by the committee resolution of February 19, 1964, relating to the entry of aliens into the United States, and other matters: Now, therefore, be it

"Resolved, That the subcommittee is of the opinion that the within-named persons should be required to attend the said hearings and investigations as witnesses and to produce such books, papers, and documents, and to give such testimony as the subcommittee deems necessary; that the subcommittee deems such attendance to be necessary in furtherance of the committee's legislative purposes; and that the subcommittee authorizes subpoenas to be issued therefor in accordance with the provisions of law."

"The subcommittee agreed that Dagmar Wilson, Donna Allen, and Russell A. Nixon should be required to appear before the subcommittee on December 7, 1964, in executive session.

"The meeting adjourned at 12:25 p.m.

"JOE R. POOL,

"Chairman.

"MRS. MARY VALENTE,
"Acting Recording Secretary."

6. The following is a copy of the order of the chairman of the Committee on Un-American Activities, Representative EDWIN E. WILLIS, appointing Representative August E. Johansen to serve on the said subcommittee in the place of Representative Henry C. Schadeberg:

"To: Mr. Francis J. McNamara, director, Committee on Un-American Activities.

"On March 11, 1964, I appointed Hon. Joe R. Pool, Hon. Richard Ichord and Hon. Henry C. Schadeberg to serve as a subcommittee of the Committee on Un-American Activities to conduct hearings as contemplated by the resolution adopted by the committee on the 19th day of February 1964, relating to the

entry of aliens into the United States and other matters under investigation by the committee. Mr. Schadeberg has indicated that he may be unable to serve on said subcommittee at its contemplated December 7, 1964 hearing, and possibly on other days, before and after that date, during the remainder of the year when meetings and hearings of the subcommittee may be held.

"I hereby designate Hon. August E. Johansen to serve on the said subcommittee in the place of Hon. Henry C. Schadeberg for the remainder of the year at any meetings and hearings of the subcommittee which Mr. Schadeberg is unable to attend.

"Given under my hand this 25th day of November 1964.

"E. E. WILLIS,

"Chairman, Committee on Un-American Activities."

7. The following is an extract from the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities, held on December 7, 1964, at 10:08 a.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in room 225, Cannon House Office Building, at 10:08 a.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred N. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The director advised the members that a request had been received by the committee from Lawrence Speiser, director of the Washington Civil Liberties Union and attorney for Mrs. Dagmar Wilson and Mrs. Donna Allen, that the hearings scheduled for December 7 and 8 be canceled or held in public session rather than in executive session. Following a discussion during which the reasons for holding the hearings in executive session were fully explored, Mr. Ichord moved that Mr. Speiser's request be denied and that the hearings be held in executive session. Mr. Johansen seconded the motion and the chairman so ordered.

"The chief investigator briefed the members on Russell Nixon's background.

"The subcommittee agreed to have all three witnesses in the hearing room at the same time for the reading of the opening statement.

"The meeting adjourned at 10:15 a.m.

"JOE R. POOL,

"Chairman of Subcommittee.

"JULIETTE P. JORAY,

"Recording Clerk."

8. The following are the minutes of a meeting of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 11 a.m.

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met on December 7, 1964. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald Appell, chief investigator.

"The subcommittee discussed and considered again the request previously received in a letter from Mr. Lawrence Speiser, attorney for Dagmar Wilson and Donna Allen, that the hearings be canceled or held in public. It also considered the additional requests Mr. Speiser made in the hearing

prior to recess relative to a public hearing for his clients. In addition, the subcommittee considered the views and requests of Russell Nixon expressed prior to recess.

"The subcommittee, in its deliberations, viewed these requests in the light of all relevant committee resolutions and applicable rules of the House and the committee itself, including House rules 26(g) and 26 (m), and committee rule IV. The subcommittee concluded that rule XI 26(g) was applicable, and that an executive session was desirable, for reasons of national interest, because of the area of Government operations involved, but which could not be disclosed to the witnesses at this time in any detail without violating that interest. It was also determined that rule XI 26(m) precluded a public hearing at this stage of the investigation because the proposed area of interrogation would involve persons, other than the witnesses, in a defamatory or possibly incriminating manner forbidden by the rule.

"The subcommittee unanimously concluded that the hearing should be continued in executive session and the requests of the witnesses for a public hearing denied.

"It was agreed that Mr. Ichord would prepare a statement expressing the subcommittee's determination, which he would make for the record when the hearing was reconvened at 2 p.m.

"It was agreed that, in the interim, Mr. Ichord would check with the Parliamentarian of the House to obtain his view of the issues confronting the subcommittee and determine whether or not he believed the position adopted by the subcommittee was a correct one.

"The meeting adjourned at approximately 11:35 a.m.

"JOE R. POOL,

"Chairman."

"JULIETTE P. JORAY,

"Recording Secretary."

9. The following are the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 2 p.m.

"A subcommittee of the Committee on Un-American Activities designated by the Chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session in room 225, Cannon House Office Building, at 2 p.m. on December 7, 1964.

"The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator and Juliette P. Joray, recording clerk.

"With further reference to the requests of Russell Nixon and Mr. Speiser on behalf of his clients, Mrs. Dagmar Wilson and Mrs. Donna Allen, discussed at the meetings held this day, Mr. ICHORD reported to the subcommittee on his contracts with the Assistant Parliamentarian, William Cochrane in the absence of the Parliamentarian, Mr. Deschler. Mr. ICHORD stated that the Assistant Parliamentarian advised him that by virtue of the committee resolutions, committee rules and applicable House rules, the subcommittee was empowered to order an executive session.

"The committee deliberated and concluded that there were aspects of national interest involved which require the holding of these hearings in executive session and that rule XI, 26(m), was operative in that the area of interrogation of these three witnesses might tend to defame, degrade or incriminate persons other than the witnesses. It was suggested that Mr. ICHORD prepare a statement on behalf of the subcommittee, the contents of which were unanimously approved by the subcommittee, and which Mr. ICHORD was

to deliver upon the reconvening of the subcommittee following the recess.

"On motion of Mr. ICHORD, seconded by Mr. Johansen and unanimously adopted, it was agreed that the requests of Mr. Nixon, Mrs. Wilson and Mrs. Allen, should again be denied.

"The meeting recessed at 2:45 p.m.

"JOE R. POOL,

"Chairman."

"JULIETTE P. JORAY,

"Recording Secretary."

10. The following is an extract of the minutes of the aforesaid subcommittee of the Committee on Un-American Activities held on December 7, 1964, at 4:05 p.m.:

"A subcommittee of the Committee on Un-American Activities designated by the chairman on November 25, 1964, to sit at hearings in the matter of entry of aliens in the United States under waiver of ineligibility, met in executive session on December 7, 1964, in room 219 of the Cannon House Office Building at 4:05 p.m. The following members were present: Joe R. Pool, chairman; Richard Ichord, August E. Johansen. Representative Donald C. Bruce was also present.

"The staff members present were Francis J. McNamara, director; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The subcommittee was called to order by the chairman who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of Russell Nixon to be sworn or examined as a witness; and the failures of Dagmar Wilson and Donna Allen to testify at the hearing conducted by the said subcommittee on the 7th day of December 1964, and what recommendation it would make to the full committee regarding their citation for contempt of the House of Representatives.

"After full discussion of the refusal of Russell Nixon to be sworn or examined as a witness, a motion was made by Mr. ICHORD, seconded by Mr. Johansen, and unanimously carried that a report of the facts relating to the refusal of Russell Nixon to be sworn as a witness and to answer any question before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to be sworn and answer any questions, together with all of the facts in connection therewith, be referred to the Speaker of the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives, to the end that he may be proceeded against in the manner and form provided by law.

"The meeting adjourned at 4:15 p.m.

"JOE R. POOL,

"Chairman."

"JULIETTE P. JORAY,

"Recording Clerk."

11. The following is an extract of the minutes of a meeting of the full Committee on Un-American Activities held on December 10, 1964, at 10 a.m.:

"The Committee on Un-American Activities met in executive session on Thursday morning, December 10, 1964, in room 225, Cannon House Office Building, at 10 o'clock a.m. The following members were present: Edwin E. Willis, chairman; William Tuck, Joe R. Pool, Richard Ichord, Donald C. Bruce.

"Also present were the following staff members: Francis J. McNamara, director; William Hiltz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; Philip Manuel, investigator; and Juliette P. Joray, recording clerk.

"Chairman Willis called the meeting to order at 10:18 a.m., and announced that this special meeting of the committee was called, after notice to all committee members, for the purpose of considering a recommendation of the subcommittee headed by Mr. Pool,

looking into the entry of aliens into the United States under waiver of ineligibility, that Russell Nixon, Dagmar Wilson and Donna Allen be cited for contempt because of their refusals to testify before the subcommittee in executive session on Monday of this week, December 7.

"The chairman then directed Mr. Pool, chairman of the subcommittee, to report on the matter being considered by the committee.

"Representative Pool reported to the committee that he was chairman of the subcommittee appointed by the chairman, composed of himself, Representatives Richard H. Ichord and August E. Johansen, to conduct hearings on December 7, 1964, at Washington, D.C., as contemplated under the resolution adopted by the committee on the 19th day of February 1964; that the subcommittee met in executive session on December 7, 1964, in the Cannon House Office Building, Washington, D.C., to receive the testimony of Russell Nixon, Donna Allen, and Dagmar Wilson who had been duly subpoenaed to appear as witnesses before said subcommittee; the said meeting of the subcommittee was attended on December 7, 1964, by subcommittee chairman, Representative Joe R. Pool, and Representatives Richard H. Ichord and August E. Johansen; that the witness, Russell Nixon, having appeared before the subcommittee, refused to be sworn or examined as a witness, willfully refused to answer any question pertinent to the question under inquiry, and willfully refused to give any testimony touching matters of inquiry committed before said subcommittee; that the said Donna Allen appeared before the subcommittee, was administered an affirmation as a witness by the subcommittee chairman, but willfully refused to testify in response to any question pertinent to the question or subject under inquiry; that the said Dagmar Wilson appeared before the subcommittee, was duly sworn as a witness, and when asked to state her name and residence for the record and whether she was represented by counsel, she responded to those questions, but thereupon and thereafter willfully refused to answer any question pertinent to the question under inquiry and willfully refused to give any testimony touching matters of inquiry before said subcommittee as required by her subpoena; that the subcommittee thereafter met in executive session, attended by the said subcommittee chairman, Representative Pool, and Representatives Ichord and Johansen, being all of the members of the said subcommittee; at which time, motions were made and unanimously adopted with respect to each of said persons, to wit, Russell Nixon, Donna Allen, and Dagmar Wilson, that a report of the facts relating to the refusal of each of them to testify before said subcommittee at said hearings after having been summoned to appear to testify before said subcommittee, be referred and submitted to the Committee on Un-American Activities as a whole, with a recommendation that a report and statement of fact with reference to the refusal of each of said witnesses to appear to testify as aforesaid, be made to and filed with the Speaker of the House, the House now being adjourned sine die, in order that the said Speaker may certify the same under the seal of the House, to the appropriate U.S. attorney to the end that each of said witnesses may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

"A motion was made by Mr. Pool, seconded by Mr. Bruce, that the subcommittee's report of the facts relating to the refusal of Russell Nixon to be sworn as a witness and to testify before the said subcommittee at the hearings conducted before it in Washington, D.C., on the 7th day of December 1964, be and the same is hereby approved and adopted, and

that the Committee on Un-American Activities report the said failures of Russell Nixon to the Honorable John McCormack, Speaker of the House of Representatives, the House of Representatives now being adjourned sine die, in order that the said Speaker may certify the same to the U.S. attorney for the District of Columbia to the end that the said Russell Nixon may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to forward such report and statement of fact constituting such failure of Russell Nixon to the said Speaker of the House of Representatives. Following discussion, the motion was put to a vote and it was unanimously adopted. Mr. Pool asked for the yeas and nays to be recorded. The yeas and nays were taken. Mr. Willis voted "yea," Mr. Tuck voted "yea," Mr. Pool voted "yea," Mr. Ichord voted "yea," and Mr. Bruce voted "yea." Mr. Bruce also stated that he was authorized to vote the proxy of Mr. Johansen and that if he were present he would vote yea. So the motion was agreed to. "The meeting adjourned at 11:15 a.m."

"EDWIN E. WILLIS,
"Chairman."
"JULIETTE P. JORAY,
"Recording Clerk."

IMMIGRATION HEARINGS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I take this opportunity to announce that the Subcommittee on Immigration and Nationality will commence hearings on immigration legislation on February 16 at 10 a.m. Arrangements are now being made to schedule witnesses to appear before the subcommittee.

Administration spokesmen will be called to testify on changes made in the administration proposal on which hearings were held by the subcommittee during the 88th Congress.

Opportunity will be provided interested organizations and individuals who wish to present their views on immigration legislation.

The schedule of hearings will be arranged so that prompt action can be taken to bring reform immigration legislation to the floor of the House early in this session.

THE ELDERCARE ACT OF 1965

Mr. HERLONG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Speaker, along with Representative THOMAS B. CURTIS of Missouri I have today introduced legislation, the Eldercare Act of 1965, that would amend the Kerr-Mills law to authorize broad health insurance coverage for elderly persons.

The bipartisan Herlong-Curtis bill would authorize Federal grants to the States on a matching basis to help persons 65 years of age and older pay costs

of the health insurance if they could not afford it otherwise. The bill would provide for utilization of Blue Shield and Blue Cross plans and private health insurance companies.

The cost of such coverage would be borne entirely by Government for those elderly individuals whose income falls below limits set by each State. For individuals with incomes between the minimum and a maximum, Government would pay a part of the cost on a sliding scale according to income. Individuals with income above the maximum would pay the entire cost, but they would have the benefits of an income tax deduction for such payments, as well as statewide bargaining for noncancellable health care policies.

Persons under 65 years of age also would be given an income tax deduction for the amount of premiums paid on noncancellable health insurance policies to become effective upon retirement.

States could administer the program under State health departments if they so chose. The Kerr-Mills program now is administered by State welfare departments.

It was expected that the Herlong-Curtis bill would be supported by the American Medical Association which recently announced such a plan—the doctors' eldercare program.

Both HERLONG and CURTIS are members of the House Ways and Means Committee which has made health-care-for-the-elderly legislation its first business of this session with deliberations on it in closed meetings starting today.

In a joint statement, HERLONG and CURTIS said:

Our legislation is designed to provide elderly persons all the medical services they require, in contrast to the limited benefits in the King-Anderson social security tax bill. Under our bill, workers would not be taxed to pay for hospitalization of those who are financially able to pay for it themselves.

This legislation would not endanger the solvency of the social security fund or permit control of local hospitals by a Federal bureaucracy, as the King-Anderson proposal could.

This bill goes to the real problem: helping those who need help in financing their health care. That problem would still remain after these individuals had used up the limited benefits of the King-Anderson bill. Why levy a new tax and set up another Federal bureaucracy when it will not do the full job?

A summary of the Herlong-Curtis bill follows:

ELDERCARE ACT OF 1965

HEALTH INSURANCE COVERAGE UNDER MAA

This bill would amend title I (old age assistance and medical assistance for the aged) and title XVI (aid to the aged, blind, or disabled, or such aid and medical assistance for the aged) of the Social Security Act to add a new section under which a State with an MAA program would be authorized, in its discretion, to provide the MAA in the form of premium payments for health insurance coverage under voluntary private health insurance plans in addition to providing the assistance in the manner authorized under existing law. A State wishing to participate in the program would be required to enter into contracts or other arrangements with private insurance carriers as it deems appropriate.

The contracts would have to: (1) be guaranteed renewable; (2) provide benefits which,

together with MAA benefits authorized in existing law, include both institutional and noninstitutional care; (3) establish enrollment periods not less often than once a year; and (4) contain such other provisions as the State agency determines are necessary to carry out the purposes of the program.

If a State provides an MAA program in the form of health insurance coverage, the same coverage would have to be available to all individuals who reside in the State and who are 65 or over. In the case of old age assistance recipients (or aged recipients of aid to the aged, blind, or disabled under title XVI), at the discretion of the State, the coverage may be in lieu of or in addition to aid provided in the form of medical or remedial care under existing law. The bill provides that premium payments for such coverage would constitute medical or remedial care for aged recipients under the two titles.

The bill provides that premiums for coverage of any individual under an insurance plan would be paid by the State agency with the following two exceptions. The State agency could establish a maximum income level at least equal to the highest level at which an individual may qualify under the MAA program in the State. If the individual's income is above this level, the premiums would be paid in part by the individual and in part by the State agency in proportions based on the individual's income as the State agency may determine up to a higher income level as the State agency determines to be appropriate. If the individual's income is above the higher level, he would be required to pay the premium in full. Income standards for eligibility would have to be "reasonable."

For the purposes of the bill, "income" would include gross income as defined under the Internal Revenue Code and all other income which is not includible in gross income for tax purposes.

Each individual covered under an insurance plan under the program would be required to certify his income to the State agency in a manner and at such times (but at least once a year) as the State agency may require. The State agency would be required to accept the certification as conclusive. The certification would be subject to the penalties for fraud under the Social Security Act (a fine of up to \$1,000, or imprisonment for up to 1 year, or both).

The bill would provide that medical assistance for the aged would be provided in behalf of individuals who are not recipients of OAA but whose income (rather than income and resources) is insufficient to meet the cost of necessary medical services.

The bill provides that, notwithstanding the provisions of existing law, if a State plan under title I or XVI includes both MAA and old age assistance or aid to the aged, blind, or disabled, the State could designate one State agency to administer or supervise the portion of the plan that relates to old age assistance (or aid to the aged, blind, or disabled), and a separate State agency to administer the medical assistance for the aged plan.

The bill would modify the prohibition in existing law against enrollment fees by providing an exemption for a State plan which provides medical assistance for the aged in the form of health insurance coverage.

The bill would amend the provisions of titles I and XVI which describe the purposes of appropriations to include encouragement for "each State to provide medical assistance for all aged individuals through the utilization of insurance provided by private insurance carriers."

The bill provides that States which provide MAA through the use of health insurance plans would have their Federal contributions increased by 5 percent (to 52.5-84 percent rather than 50-80 percent) of

sums expended for medical or remedial care. A State which provides medical care using the health insurance plan under the old-age assistance program or the combined program of aid to the aged, blind, or disabled, would also have its Federal contribution increased by 5 percent (to 52.5-68.25 percent rather than 50-65 percent).

Further, the Federal Government would contribute toward the cost of administration of the health insurance program on the same basis as it does under the OAA and MAA programs.

PUBLIC ASSISTANCE FOR MENTALLY ILL AND TUBERCULOUS

The bill would amend title I (old-age assistance and medical assistance for the aged) and title XVI (aid to the aged, blind, or disabled, and medical assistance for the aged) of the Social Security Act to authorize money payments to, or medical care in behalf of, needy individuals who are 65 years of age or over unless the individual is an inmate in a public institution other than a patient in a medical institution.

Thus, payments or care could be provided to any needy individual who is a patient in an institution for tuberculosis or mental disease. Payments could be made to an individual who has been diagnosed as having tuberculosis or psychosis and who is a patient in a medical institution as a result thereof, and care could be provided to an individual who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis without regard to the 42-day limitation contained in existing law. However, under the combined program of aid to the aged, blind, or disabled (title XVI), such payments or care could not be made or provided to or in behalf of any individual in an institution for tuberculosis or mental disease if he is under age 65.

INTERNAL REVENUE CODE AMENDMENTS

The bill would make the following amendments to the provisions of the Internal Revenue Code which relate to medical expense deductions:

1. If neither the taxpayer nor his spouse has attained the age of 65, they would be authorized a deduction equal to—

(a) The uncompensated amount spent for medical care for any dependent who has attained the age of 65;

(b) The amount paid for accident or health insurance for the taxpayer or his spouse which by its terms would become effective when either has attained the age of 65; and

(c) Uncompensated medical expenses incurred on behalf of the taxpayer, his spouse, and other dependents which exceed 3 percent of the taxpayer's adjusted gross income.

2. If the taxpayer or his spouse has attained the age of 65, there would be no limitation on the deduction for uncompensated medical expenses incurred in behalf of the taxpayer, his spouse, or dependents over age 65. However, the deduction in behalf of dependents under age 65 would continue to be subject to the 3-percent limitation.

For the purposes of the above amendments, a dependent over age 65 would mean any individual who is related to the taxpayer, or who is a member of the taxpayer's household (as defined by the Internal Revenue Code) regardless of the amount of support the individual receives from the taxpayer. (A dependent under existing law is one who receives over half his support from the taxpayer.)

The amendments relating to the health insurance program would become effective July 1, 1966, but a State could make them effective any time after the first day of any quarter after the date of the bill's enactment. The amendments relating to the income tax deductions would become effective for taxable years after the bill's enactment.

"MR. SPEAKER," A NEW BOOK ABOUT THE HOUSE OF REPRESENTATIVES AND SOME OF ITS LEADERS

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, there was recently published a book entitled "Mr. Speaker" with the subtitle "Four Men Who Shaped the U.S. House of Representatives," which should prove of interest to all Members of this body.

Written by Booth Mooney, formerly of Texas, now of Washington, "Mr. Speaker" presents profiles in depth of four political giants of the House of Representatives: Speakers Henry Clay, Thomas Reed, Joseph Cannon, and Sam Rayburn.

Joseph F. McCaffrey, the well-known Capitol Hill television reporter, has said:

Mooney's book does more to explain the House and its importance in our system than some of the heavier, more definitive works by professors.

Under permission granted me, I insert in the RECORD a review of "Mr. Speaker" by Robert E. Baskin, chief of the Dallas News Washington bureau, and the text of Mr. McCaffrey's television review:

FOUR KEY SPEAKERS LEFT INDELIBLE STAMP ON HOUSE

(By Robert E. Baskin)

WASHINGTON.—"I never served under any President. I served with eight."—House Speaker Sam Rayburn of Texas.

"Everything is all right out West and around Danville. The country don't need any legislation."—House Speaker Joseph G. Cannon of Illinois.

"The right of the minority is to draw its salaries and its function is to make a quorum."—House Speaker Thomas B. Reed of Maine.

These are quotations from three men who have held what has been described as the second most powerful position in our Government—the speakership of the House of Representatives.

In each case the occupant of this lofty post was a man with great consciousness of the power of the office, his own stature in the government and, implicitly, the prestige of the House.

Booth Mooney, an old Washington hand and a former Dallas public relations man, has made a study of the speakership and produced a book (Mr. Speaker; Follet, Chicago; \$6.95) in which he not only evaluates the office but also delineates the four men who in his judgment did the most to mold the office.

Mooney's work was encouraged by the late Sam Rayburn, who held the speakership longer than any other man. Mr. Sam undoubtedly would agree with most of the conclusions drawn by the author.

The four outstanding speakers, depicted by Mooney as Rayburn, Cannon, Reed, and back in the early days of the Republic, the brilliant and controversial Henry Clay of Kentucky.

"There have been other great speakers, but it is my opinion that these are the men who, more than any others, influenced the structure and direction of the House of Representatives," Mooney says in his preface.

It would be hard to fault his verdict on this. Nicholas Longworth of Ohio and

Champ Clark of Missouri were memorable men, to say the least. And Texas' John Nance Garner was a speaker who knew the ways of the House as few men have.

But in the light of history, it was Clay, Reed, Cannon and Rayburn—in that chronological order—who made the office what it is today.

In the first 11 Congresses after independence the speakership was an office modeled after the British House of Commons pattern—a job calling principally for presiding over the body in a nonpartisan way.

Henry Clay changed that completely in the early years of the 19th century.

He took command of committee assignments and he decided that the House must conduct its business in an orderly fashion. In the early years, and at times in more recent history, the House was a noisy place where Members drank, talked as much as they pleased and shouted down others trying to speak.

But essentially, Clay viewed the job as a partisan one and it has remained such ever since. He took the lead on pressing legislation and as a leader of the "war hawks" helped bring about the War of 1812.

As "the great compromiser" he had tremendous effect on the development of the country in the critical years before the Civil War.

There is a gap of a good many years between Clay's reign and that of Reed of Maine, who became Speaker in 1889, and in the intervening period the House had fallen into some disreputable conditions.

The portly, tart-tongued Reed was just the man to correct this, and he did so unflinchingly, drawing up a new set of rules for the House which he enforced rigidly.

Democrats were outraged by the Republican Speaker's tactics. They particularly resented his moves to curb filibusters and his sternness in requiring Members to be present and be counted on quorum calls.

But he was strongly partisan, too, and could so stolidly refuse to recognize members of the opposition who addressed the chairman he was known as "Czar Reed."

On one occasion he so angered Congressman Constantine Buckley Kilgore of Texas that Kilgore kicked out the panels of a door leading into the lobby. He was called "Kicking Buck" ever afterward.

Summing up Reed, Mooney says, "He brought order to the House at a time when disorder threatened to stop the Government from functioning. He set down a pattern for the speakership that, even after subsequent modifications, changed the nature of that office for all time."

"Uncle Joe" Cannon was probably the most colorful Speaker of all, and partisan to the extent that he considered Democrats simply not qualified to run the Government.

Using the Reed rules, he amassed vast power, consolidating his hold on the Rules Committee and every other key committee in the House. His rulings from the chair were arbitrary and sometimes capricious.

"The ayes make the most noise, but the nays have it," he declared once after a voice vote.

It was Cannon who brought the office to its greatest peak of unbridled power, but the old man from Danville, Ill., simply went too far. He was stripped in 1910 of much of his power by insurgent Republicans led by Nebraska's George W. Norris and the intolerable Democrats. The office of Speaker and the chairmanship of the Rules Committee were divorced for good.

Mooney appraises Rayburn as the Speaker who was "closest to the people of the country." The squire of Bonham, although vested with great power, preferred to lead the House through persuasion and good relations with his fellow Members.

His great asset, in Mooney's view, was his ability to have "the feel of the House." He

could advise Presidents precisely what they could expect of the body.

"Looky here, Mr. President," Rayburn once told Franklin D. Roosevelt, who did not appear to be listening to him. "By God, I'm talking to you. You'd better listen." Roosevelt listened and changed his mind about a piece of legislation.

Rayburn was ever conscious of the dignity of the House, and the days when Members could become unruly or ungentlemanly ended, it is to be hoped, forever. And he demonstrated that bipartisanship, particularly in foreign affairs, could work admirably.

Mooney's book, in addition to being interesting reading, reflects a large amount of research. It is a valuable and much-needed contribution to the study of the American system of government.

TELECAST BY JOSEPH F. MCCAFFREY OVER STATION WMAL-TV, WASHINGTON, D.C., NOVEMBER 13, 1964

Speaker of the House Henry Clay told a newly elected successor to that office the secret of being a good presiding officer, "Decide, decide promptly and never give your reasons for the decision. The House will sustain your decisions, but there will always be men to cavil and quarrel about your reasons."

This is just one of the many sidelights of the speakership in his new book, "Mr. Speaker," by Booth Mooney. To give an insight into one of this country's most important positions, Mooney has done a sketch of four of the most powerful Speakers in our history, Clay, Thomas Reed, Joseph Cannon, and Sam Rayburn.

No one knows better the problems that JOHN MCCORMACK will face beginning in January because of the top-heavy Democratic majority in the House than JOHN MCCORMACK. Mooney recalls the top-heavy majority the Democrats had in 1937 and the problems which faced Majority Leader Rayburn. The Republicans were so few in number it created the tender problem that there was not much incentive for cohesiveness among the Democrats' large majority.

Later when he became Speaker, Mr. Rayburn kept his hold on his majorities by personal persuasion. As then Senate Leader Lyndon Johnson said, "Rayburn runs the House out of his hip pocket."

Each of the four profiles is well done, but the one that moves to tears and then laughter is the one on Sam Rayburn, a man Mooney knew well. He knew him so well that the pen portrait he passes along of him is one of the best ever written.

Not many men really knew Rayburn. He had to protect himself from the gladhanders and the phonies, but those who did know him knew one of the great men in our history.

Mooney's book does more to explain the House and its importance in our system than some of the heavier, more definitive works by professors.

The jacket says Mr. Mooney is now a public relations consultant here in Washington. He should give that up, lock himself in a room and turn out more books like "Mr. Speaker."

It is one of the few books which will appeal to those who know little about American politics as well as to those who make it their daily meat and potatoes.

WASHINGTON POST ACCUSED OF LYING

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker and Members of the House, soon after I was first elected as chairman of the House Committee on the District of Columbia about 15 years ago I decided never to try to reply to any type of newspaper article concerning the House Committee on the District of Columbia, or me personally, which appeared in any of the Washington papers.

Mr. Speaker and Members of the House, I have asked for this time for the purpose of correcting a statement appearing in the Washington Post newspaper headlines this morning concerning the House District Committee. I thought we had an excellent reorganization meeting of the committee yesterday, as we adopted the committee rules and regulations, and also adopted the list of subcommittees for the 89th Congress. We reported 11 noncontroversial bills on which hearings were held during the 88th Congress and unanimously passed the House; however, they were not considered by the other body before the adjournment of the 88th Congress. I am certain that the 20 Members present for the organization meeting yesterday will vouch for the fact that no one mentioned any proposed revenue legislation and no one mentioned the President's budget. The real purpose of the meeting was to reorganize the committee. The President's budget message of course was referred to the Appropriations Committee and not the District legislative committee. My committee has not received any proposed revenue legislation from the Commissioners or the White House. Our committee will give consideration to any revenue proposals that are referred to the House District Committee from the President or the District Commissioners.

The headlines of the Washington Post and the statement that the chairman of the committee had blocked the President's budget was an unadulterated lie and a sample of the type of backing the House District Committee gets from the Washington press and news media in general—from the Washington, D.C., Post, January 27, 1965, "McMILLAN Balks at District of Columbia Budget Plans; House Fight Stalls Johnson Program of Schools, Health."

TO ESTABLISH A FEDERAL WATER CONTROL COMMISSION

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it has been my privilege to serve as a member of the House Natural Resources and Power Subcommittee, and I have found the work of that subcommittee tremendously interesting. We have held exhaustive hearings in various parts of the United States on the all-important subject of water pollution and we have

amassed one of the most definitive records on this subject that has ever been gathered together. The work of the subcommittee has not been completed, but we are in a position at this time to make recommendations on the basis of our studies, and the more we probe the problem of water pollution control, the more convinced I am that corrective measures must be taken at once.

Water pollution has become the Nation's single most critical natural resources problem.

For these reasons, I have today filed a bill similar to that which I proposed in the 88th Congress, to amend the Federal Water Pollution Control Act, to establish a Federal Water Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, and to authorize recommendations for studies of water quality.

Almost all of our major streams, rivers, and lakes are suffering increasing pollution and this condition is jeopardizing our water supplies, menacing the public health, destroying aquatic life and disgracing our environment. This pollution comes from contaminants which are being dumped into rivers and streams in many parts of the country. They include oils, garbage, chemicals, acid drainage from mines and new chemicals such as synthetic fibers and detergents, pesticides, and radioactive wastes. Our own Federal installations are not without blame.

The bill, which I have filed today, establishes a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare, to administer comprehensive programs, sponsor interstate cooperation, recommend establishment of water quality standards, and stimulate elimination of pollution by Federal installations.

I have recommended the authorization of an appropriation of \$20 million annually for the next 4 years for research and development grants. In addition, I have proposed the authorization of appropriations of \$150 million for fiscal year 1966 and \$200 million for fiscal year 1967, for grants to the States for waste treatment works. This would provide grants of up to 50 percent of the estimated cost of demonstration projects for operating combined storm and sanitary sewers. I recommend that we increase the individual dollar ceiling limitations on Federal grants for construction of waste treatment works from \$600,000 to \$1,500,000 for a single project, and from \$2,400,000 to \$5 million for a joint project involving two or more communities. These have particular reference to large municipalities.

I propose that we authorize an additional 10 percent in the grant for construction of waste treatment works after the project is certified as conforming with comprehensive plans for a metropolitan area.

My bill would authorize the Secretary of the Department of Health, Education, and Welfare, after public hearing and consultation with all interested parties, to prepare recommendations of standards of water quality for interstate waters.

It would also provide that waste water discharges by Federal installations be reviewed by the Secretary of Health, Education, and Welfare.

I want to point out that while I recognize the need for greater local enforcement procedures, I also feel that we must reestablish and reaffirm a pattern of local, State, and Federal cooperation.

Experience has shown that there is definite need for Federal participation in the financing of sewage treatment plants and in the encouragement of research and development so essential to the continuing operation of industrial plants currently contributing materially to the pollution problem. One cannot listen to the evidence that our subcommittee has heard from all segments of the community, and from all parts of the country, without coming to the conclusion that the national interest requires a stepping up, not only in research but also in construction of facilities and, above all, in enforcement activity, if the Nation's water resources are to remain equal to the tremendous demands which will be made upon them in the future.

For this reason, I believe that the grants for research and development provided in my bill are vitally important. I feel also that the broadening of the application of this legislation by raising the limitations on grants for single projects, and combined projects, will have productive results.

This is the problem which faces every community and every State in the Nation because the communities and the States cannot bear the cost of abating pollution. I feel that the Federal Government must step up its participation without further delay if we are to meet the crisis confronting us in the shortage of usable clean water.

TO AMEND TITLE 23 OF THE UNITED STATES CODE TO INCREASE THE TOTAL MILEAGE OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, the very lifeblood of a densely populated and heavily industrialized State's growth is its highway facilities. If States such as New Jersey are to continue to prosper they must have additional and better highways. Therefore, I am introducing a bill to amend title 23 of the United States Code which would increase the total mileage of the National System of Interstate and Defense Highways from 41,000 to 50,000 miles.

At present the Federal Bureau of Public Roads has an authorization of 41,000 miles but has requests from a number of States, including New Jersey, for an additional 20,000 miles. The Bureau cannot even consider these additional requests, regardless of the needs, because all of the mileage authorized under the

Federal Highway Act of 1956 has been allocated.

Our population is booming and each day more and more vehicles are being used on our roads. In New Jersey many persons commute to work each day and good roads are a necessity rather than a luxury to them. Before an industry locates in a State it first takes a hard look at the highway facilities because the difference between good and bad highway facilities can mean the difference between success and failure.

In Monmouth and Ocean Counties, for instance, there are more than 500,000 residents and yet there is but one highway which links them with the State capital in Trenton. This artery is Route 33. It is totally inadequate to handle the number of persons who must travel on this road each day. Because it is inadequate it also is dangerous.

This need for a limited access thoroughway between the shore area and Trenton is of paramount importance now. This, of course, is just one example. There are many other areas of New Jersey, as well as other States, where new or improved highways are desperately needed now. Unfortunately, under the present authorization New Jersey is unable to receive additional 90-10 Federal funds because all of the mileage in the Interstate Highway System has been exhausted.

No additional tax assessment is required in order to increase the authorization from 41,000 to 50,000 miles. These funds are derived from the trust fund which was established by Congress and administered by the Federal Bureau of Public Roads. This fund is primarily financed through taxes on petroleum products used in motor vehicles and is self-sustaining. These revenues are derived solely from those making use of our roads.

I am hopeful that the Congress will give early consideration and approval to my bill. I ask unanimous consent that the text of my bill be printed in full at this point in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (d) of section 103 of title 23 of the United States Code is amended by striking out "forty-one thousand miles" and inserting in lieu thereof "fifty thousand miles."

A PERSONAL ANNOUNCEMENT

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, by reason of a number of hostile and insulting acts by President Nasser of the United Arab Republic, the people of my district are generally opposed to aid to Nasser's government unless such aid benefits our country. Because of recent actions of Mr. Nasser, I agree with my constituents. Therefore, when the House met in the Committee of the Whole on January 26, 1965, to deliberate on the

Commodity Credit Corporation Act, in a standup vote I voted for an amendment to curtail this aid to Nasser's government as a means of tangible warning to President Nasser. This amendment failed and the House convened in regular session, at which time a motion was made to recommit the bill back to committee with instructions to bar the use of any funds to finance any exportation of agricultural commodities to the United Arab Republic under provisions of title I, which was substantially the same amendment presented in the Committee of the Whole House.

Knowing our present responsibilities and commitments under the Commodity Credit Corporation Act, I did not feel that this appropriation should be delayed any longer or buried, which I felt recommitment to committee would do. Therefore, I voted against recommitment, although I did favor curtailing aid to Nasser's government. The motion to recommit carried, and unanticipated by me and by a parliamentary maneuver under the rules, the bill was immediately submitted back to the House within a matter of minutes for a final vote, at which time I voted for the bill, as amended, to curtail aid to Nasser's government under the Commodity Credit Corporation Act.

AUTO SAFETY GETTING CLOSER LOOK

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the appalling rise in the auto death rate is causing increased concern in responsible corners of the Nation. Latest figures show that in 1964 an estimated 48,000 Americans died in traffic mishaps. This figure is almost one-third higher than the number of Americans who died in combat during the Korean war.

As a member of the House Subcommittee on Health and Safety which in the 88th Congress approved Public Laws 201 and 515 to encourage higher safety standards among auto manufacturers through more stringent requirements for U.S. Government-purchased vehicles and other methods, I was pleased to see the General Services Administration announcement establishing safety standards for Government-purchased automobiles. As these new specifications cover such equipment as windshields, brakes, seat belts, instrument panels, and other features, coupled with the fact that Government purchases of vehicles come to almost 60,000 annually, the effects of these steps should be widespread, particularly in view of an estimated production of 8 million cars this year.

Additional signs of concern may be seen in the Federal Trade Commission hearings held recently on automobile tire safety. Numerous States are becoming aware of the need for heightening auto safety standards.

And it is interesting to note that General Motors has become involved in about

45 lawsuits due to accidents concerning one of their automobiles which is allegedly termed "inherently dangerous" due to its design.

It is clear that unless faster progress is achieved the public will demand action to stem the slaughter on America's highways.

PRESIDENTIAL DISABILITY AND SUCCESSION

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I have today introduced legislation in the form of a House joint resolution providing for a constitutional amendment on the subject of Presidential disability and succession.

It seems to me there has been enough talk about the lack of provisions in our Constitution to provide this great country continuity of leadership in the event of Presidential death, resignation, or disability. It is time we acted to do something to fill this void.

I, along with other Americans, am thankful the recent hospitalization of our President was due to a common cold and not a more serious illness. But the events of recent times attest to the urgency of immediate action.

The resolution I have introduced guarantees that our Nation will not be without a Vice President. It sets up machinery to handle succession in the case of disability of the President. I do not say it is the only method which could be considered.

But this matter must be considered and I am happy to join with those now pressing for such consideration by this Congress.

HORTON BILL EXTENDING INDEMNITY PROGRAM FOR DAIRYMEN

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, the efficiency of American agriculture has made this Nation the best fed group of people in the history of civilization.

Yet, today's food producer, in some respects, works in a narrow range of safety limits. On the one hand, he cannot produce crops, milk, and livestock products economically without using modern pesticides. But, on the other hand, he runs the risk of having pesticide residues show up—even though accidentally—in the food products he markets. The incidence of pesticide residues in milk throughout the Nation last year served to dramatize this problem.

The odd thing about this situation is that dairy farmers were following USDA

and land-grant college recommendations for insecticide use. The difficulty lay in the fact that the Food and Drug Administration had developed and adopted without sufficient advance notice a new method of analysis which can detect residues as small as 0.01 parts per million. The milk was the same as before with one important exception: before there was no question of its purity; afterward, substantial numbers of farmers had to dump their milk as unfit for human consumption.

Safeguarding the health interests of American consumers is, as it well should be, a primary consideration. But actions such as these milk-dumping episodes are economically injurious and deserve congressional concern.

Obviously, work is sorely needed in further defining and setting up standards for pesticide use as well as pesticide residues. Later in this session, I plan to introduce legislation to speed activities toward this end. However, this will take time and farmers need protection in the interim. In this interest, I, therefore, introduced legislation today to extend the present indemnity program for dairy farmers forced to dump milk because of pesticide residues.

My measure amends the Economic Opportunity Act of 1964 through extension of the indemnity payments provision from its current expiration at the end of this month to June 30, 1967. An appropriation of \$8.8 million made last year for this section of the antipoverty bill remains available until June 30 of this year should the extended authorization be passed by Congress.

LEGISLATIVE REAPPORTIONMENT IN IDAHO

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a memorial.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, I have today received a joint memorial from the legislature of my State of Idaho calling for a constitutional convention to consider an amendment to the Constitution of the United States to provide that both houses of a bicameral State legislature need not be apportioned solely on the basis of population. The memorial contains an amendment proposed by the Idaho State Legislature. I have today introduced a House joint resolution with language identical to that contained in the memorial.

Mr. Speaker, on September 11, 1964, a circuit judge in Michigan ruled that a county board of supervisors must be reapportioned on the "one-man, one-vote" theory. And, on January 5, 1965, the Supreme Court of the State of Wisconsin ruled similarly.

This, I submit, is an unwarranted intrusion into State affairs by the judiciary. Section 2 of the resolution would deal with this problem, just as section 1 deals with the problem of apportionment of State legislatures.

I commend this joint resolution to my colleagues, and respectfully request that hearings on it be called promptly.

SENATE JOINT MEMORIAL 1

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

We your memorialists, the members of the Senate and the House of Representatives of the Legislature of the State of Idaho, assembled in the 38th session thereof, do respectfully represent that:

Whereas the Constitution of the United States should not prohibit any State which has a bicameral legislature from apportioning the members of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State; and

Whereas the Constitution of the United States should not restrict or limit a State in its determination of how membership of governing bodies of its subordinate units should be apportioned; and

Whereas in proposing an article as an amendment to the Constitution of the United States implementing the above freedom from prohibition, restriction or limitation of apportionment, the article, as proposed, should be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by Congress.

Now therefore, we your memorialists respectfully make application to the Congress of the United States to call a convention for the purpose of proposing an article as an amendment to the Constitution of the United States, to read as follows:

"ARTICLE —

"SECTION 1. Nothing in this Constitution shall prohibit any State which has a bicameral legislature from apportioning the members of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by Congress."

Now, therefore, be it resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; Be it further

Resolved, That the secretary of state of the State of Idaho be, and he is hereby authorized and directed to forward certified copies of this memorial to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the U.S. Congress from this State, as being an application of the Legislature of the State of Idaho, pursuant to article V of the Constitution of the United States.

AERONAUTICS AND SPACE IN 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 65)

The SPEAKER laid before the House the following message from the President of the United States; which was read

and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

I am proud to transmit—as I know the Congress will be proud to receive—this review of the significant successes of our Nation's aeronautics and space efforts in the calendar year of 1964.

The advances of 1964 were gratifying and heartening omens of the gains and good to come from our determined national undertaking in exploring the frontiers of space. While this great enterprise is still young, we began during the year past to realize its potential in our life on earth. As this report notes, practical uses of the benefits of space technology were almost commonplace around the globe—warning us of gathering storms, guiding our ships at sea, assisting our mapmakers and serving, most valuably of all, to bring the peoples of many nations closer together in joint peaceful endeavors.

Substantial strides have been made in a very brief span of time—and more are to come. We expect to explore the moon, not just visit it or photograph it. We plan to explore and chart planets as well. We shall expand our earth laboratories into space laboratories and extend our national strength into the space dimension.

The purpose of the American people—expressed in the earliest days of the space age—remains unchanged and unwavering. We are determined that space shall be an avenue toward peace and we both invite and welcome all men to join with us in this great opportunity.

In summary form, the accompanying report depicts the contributions of the various departments and agencies of the Government to the Nation's aeronautics and space accomplishments during 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, January 27, 1965.

THE 17TH ANNUAL REPORT OF THE HOUSING AND HOME FINANCE AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 17th annual report of the Housing and Home Finance Agency covering housing activities for the calendar year 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, January 27, 1965.

CONTROL OF DANGEROUS DRUGS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mrs. DWYER]

may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. DWYER. Mr. Speaker, the fact that the Committee on Interstate and Foreign Commerce this morning opened hearings on legislation to control the distribution of dangerous drugs as its first matter of legislative business is, I believe, an occasion for real satisfaction.

As a cosponsor with the chairman of the committee, the distinguished gentleman from Arkansas [Mr. HARRIS], of the bill under consideration and as a sponsor of similar legislation in the 87th and 88th Congresses, I am especially grateful that early and determined action is underway. With the chairman's leadership and with increasing awareness of the devastating impact on the youth of our country of readily available, habit-forming drugs like the amphetamines and barbiturates, I am confident that this Congress can quickly enact a bill providing reasonable and effective controls.

This morning's Wall Street Journal carried a very comprehensive article summarizing the "goof ball" and "pep pill" situation as the committee begins its hearings. While I can appreciate the sense of uncertainty on the part of retail druggists faced with the prospect of certain regulations in this area, I do not share their fears that such regulations either can or will be unreasonable under the terms of the legislation.

And, certainly, the article makes clear the fact that we cannot wait any longer to take effective action against a threat to the health and welfare of young Americans of mammoth proportions.

Mr. Speaker, I include the article as a part of my remarks.

CONGRESSIONAL HEARING BEGINS ON PLAN TO CURB "GOOF BALLS," "PEP PILLS": GROWING USE OF BARBITURATES, AMPHETAMINES BY TEENAGERS AND OTHERS SPURS MEASURE

(By Joseph W. Sullivan)

WASHINGTON.—A legislative assault on the "goof ball" and the "pep pill" may well become the new Congress' very first contribution to the Great Society.

Faced with mounting evidence that these habit-forming depressants and stimulants have supplanted heroin and marijuana as the country's most insidious drug threat, legislative leaders are pushing action to curb their illicit distribution ahead of all other Johnson administration health proposals.

At House Commerce Committee hearings beginning this morning, the Food and Drug Administration will make its pitch for close Federal scrutiny of all makers and dispensers of the pills. The object: To catch pill diversions from legitimate medical uses as they occur.

The committee chairman, Democratic Representative HARRIS of Arkansas, is already sponsoring a bill patterned on the FDA's past requests. He intends to move the legislation swiftly through the House. In the Senate, enthusiastic backers led by Connecticut's Democratic Senator Dodd assure a warm reception.

Within the drug industry, however, there are worries that the FDA's proposed cure may prove more painful than the malady. Retail druggist groups are prepared to fight the legislation outright unless they are exempted from its tedious recordkeeping and

inspection requirements. Drug producers fear the FDA might some day try to extend its proposed power to any medicine, perhaps even aspirin, that could be harmful in overdoses.

FRETTING ABOUT "BUREAUCRATS"

"The way the legislation is worded and the way those officious bureaucrats at FDA work, they'll be inquiring into every sale of any drug that's subject to misuse, and that takes in nearly everything we sell," complains one industry spokesman.

"Goof ball" and "pep pill" are the common back-alley names for a pair of basic drug compounds: Barbiturates and amphetamines. Both compounds serve useful medical purposes; both ordinarily must be prescribed by doctors. Barbiturates fill the roles of painkiller, nerve calmer and just plain sleeping pill. Amphetamines can pep up the depressed and the lethargic; they also can suppress appetite for the overweight and can relieve nasal congestion.

Served up by peddlers at highway truck stops to long-haul truckdrivers and on street corners and college campuses to thrill-seeking youngsters, both types of pills can cause abundant trouble. Pep pills, says a harassed New Jersey police chief, "makes antisocial lions out of kids as timid as mice." When taken by truckdrivers, according to the Interstate Commerce Commission, they contribute to many truck collisions. Goof balls create a trance-like effect and remove social and sexual inhibitions. Both compounds are habit forming, though less so than true narcotics. Both can cause permanent damage to the brain and nervous system—and even death.

For one view of the pill problem, listen to Police Chief Joseph P. McDavitt of Seaside Heights, N.J. Since 1960, he says, disorderly conduct arrests in that resort town have grown almost fivefold. "At first we thought the kids had found an illegal beer tap, but when our cops approached them they'd start biting, kicking and shoving, things they wouldn't do on alcohol," the chief relates. "Then we started noticing other kids with glazed or vacant looks at the dance halls and on the beach front, and we realized we had a pill problem." The biggest troublemakers are highschoolers spending spring weekends at the beach. Police once broke up a sex party involving 35 noisy teenagers in a rented cabin. Amid the ripped furniture police found a big supply of pills.

THE PILL HABIT SPREADS

Elsewhere, there is ample evidence that the pill habit is spreading. Chicago police report a 65 percent increase last year over 1963 in "dangerous drug" cases, defined as arrests for illegal sale or misuse of drugs not technically classified as narcotics; Baltimore experienced a 60-percent rise in the same period. In Los Angeles, teenage arrests for amphetamine and barbiturate use soared from 50 in 1958 to 321 last year. Police in the New York City suburb of Yonkers last summer pinpointed 900 teenage pilltakers, mostly in upper-income neighborhoods.

"It's easy to sensationalize the fact that some kids get hopped up on pills and commit lurid crimes or go berserk. But the real tragedy is measured in terms that the average person can't see, in lives that sink into oblivion," declares Dr. John D. Griffith, Oklahoma's director of mental health planning. In a recent 6-month survey in the Oklahoma City area, Dr. Griffith identified more than 2,500 pilltakers compared to a "few dozen" narcotics addicts. Among those "hooked" on pills: A psychiatrist, the daughter of a prominent physician, and an Air Force captain.

In contrast to narcotics traffic, which concentrates in big-city slums, the illegal pill trade is ubiquitous. The truck stop and the roadside tavern have extended it into even the smallest communities, according to the

FDA. In 1962, the agency surveyed amphetamine and barbiturate compounds and estimated their annual output at 9 billion tablets; by means of more obscure computations, the FDA figures at least half of these are diverted into illegal channels. Though the wholesale price is only a tenth of a cent per tablet, the standard 10 cents a pill charged by illicit retail peddlers indicates an annual take of at least \$450 million.

The FDA insists it can't cut this total without stronger enforcement tools. Local authorities say they are powerless to do much without Federal help to shut off the sources of illicit supply. Hence the push for legislation.

Late last year the Senate whisked through a bill directing the FDA to police the sales records of all firms distributing any drugs that may induce "psychotoxic effects or antisocial behavior" if taken in excessive quantities. The object was to clamp down on sales that start the pills down the wrong paths. The bill also would have strengthened the FDA's existing powers to seize such drugs and prosecute illicit sellers, making it a crime just to possess the pills without a prescription and killing a requirement that they must have crossed State lines before Federal action can be taken. "It can be awfully difficult to prove that a little pink pill has traveled interstate," complains one FDA official.

This measure was far too severe for many retail druggists and more than a few drug makers. Some foresaw extension of onerous recordkeeping requirements and nuisance inspections to a wide range of prescription products and, eventually, to such over-the-counter staples as cough syrups and nasal inhalers. (Indeed, looking beyond the pill problem, FDA officials are talking seriously about cracking down on the surreptitious use of cough medicine for its codeine content and nasal inhalers for their amphetamine fumes). In any case, the House took no action on the pill problem last session.

The bill now before the House Commerce Committee meets many of the industry objections. It would simplify recordkeeping requirements and confine them to drugs with "depressant or stimulant effect on the central nervous system." While striking out the interstate-movement requirement now limiting Federal action, it would soften the possession clause with several exemptions to cover certain medical needs. Also, it would give any drug producer or distributor affected a chance to challenge his inclusion before an ostensibly independent advisory committee.

But the retail druggists still aren't happy. "The average pharmacist is a little guy who takes a lot of pride in his professional standing," explains a lobbyist sympathetic to his problems, "and it burns this little guy up to see his tax money going to pay a lot of Federal snoops to come in and harass him."

A PLEA TO MODERNIZE CONGRESS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, the House has taken important first steps to modernize its procedures, but I feel additional reforms are vital if Congress is to function effectively in the nuclear age.

H.R. 3172, which I have introduced, would establish a 16-member Commission on Congressional Reorganization to study

the organization and performance of Congress and determine ways to improve its legislative processes in the public interest.

The volume and complexity of legislation before the Congress have been constantly increasing, but little has been done over the decades to streamline congressional rules and procedures.

On the opening day of the 89th Congress, the House adopted three important rules changes designed to improve its efficiency.

These changes passed the House 224 to 201 with my support. The narrow 23-vote margin by which the three reforms were adopted indicates the difficulty of persuading Congress to modernize itself.

The legislation which I have introduced, providing for a Commission on Congressional Reorganization, would pave the way for further reforms necessary if Congress is to be responsive to present-day needs.

Five members of the Commission would be appointed from the Senate and five from the House. The President, and former Presidents Eisenhower and Truman, would each appoint two members, since I believe congressional procedures are not exclusively the concern of Members of Congress; outside experts can be valuable in this role.

The Schweiker bill would require the Commission to study at least 12 problem areas:

Scheduling of legislation. The workload is too light early in a session resulting in a congressional logjam late in the session.

Structure, staffing and operation of congressional committees, including the role of seniority.

Workload of Congress, including examination of time devoted to governing District of Columbia and to handling thousands of private claim and immigration bills.

Congressional rules and procedures, including possible use of joint appropriations hearings by the Senate and House, revision of Senate cloture rule to curtail filibusters, and use of electronic voting.

Conflicts of interest of Members of Congress.

Term of office of Members of the House, now set at 2 years.

Communications, travel and other allowance of Congressmen and Senators.

Financing of election campaigns.

Duties of Senators and Congressmen regarding appointments to the service academies and postmaster appointments.

Strengthening congressional power of the purse.

Operation and effectiveness of existing lobbying laws.

Legislative oversight of the manner in which laws are administered.

H.R. 3172 provides that the Commission must complete its study and forward recommendations to Congress by January 31, 1967. I urge my colleagues to support this proposed legislation.

WHEN URBAN RENEWAL GOES WRONG—NEW YORK IN CRISIS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentle-

man from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the New York Herald Tribune is to be highly commended for its willingness to take a hard look at urban renewal, and to report its real impact on the people of the great city of New York.

I include here an article from the New York Herald Tribune of January 26, 1965:

WHEN URBAN RENEWAL GOES WRONG (By Barry Gottehrer and Marshall Peck)

Even at its best, when the planning process flows smoothly, untouched by political pressures and indecision, urban renewal still claims its victims. As unfortunate as this may be, the greater good of a city, the clearing away of slums and blighted areas, decrees it and someone—usually the small business man—frequently must suffer hardship out of necessity.

Unfortunately, in New York City, politics, indecision and haphazard planning have become disturbingly identifying symbols of more than a few urban-renewal projects. This is the story of one of them and the unnecessary hardships inflicted by a city government unable to make up its mind.

MOVE

Three years ago, when William Brady decided to move his retail tire business to larger quarters, he called his attorney. He had already found what appeared to be an ideal location—a spacious and reasonably priced garage-type building at 311 East 23d Street—but first, before he moved from 35th Street, he wanted to make sure the city had no urban-renewal plans for that block.

A longtime New Yorker, he had heard about what could happen to a businessman, particularly one without political connections, when the city's slum-clearance people went to work.

His lawyer, Louis Buck, reported back that there were indeed plans for an urban-renewal project in the Bellevue Hospital area. But, according to plans approved by both the board of estimate and the city planning commission, the Bellevue South project was to run from 24th to 28th Streets and from First to Second Avenues. The building that Mr. Brady wanted to buy at 311 East 23d Street was not to be included in the project. And, at the time, according to Mr. Buck, he was told that there were no definite plans to extend or alter the boundaries of the project.

When research by the Title Guarantee Trust Co. confirmed the attorney's findings, Mr. Brady was delighted. It was even better than he had anticipated. Now not only was he going to move his Economy Tire Co. into a highly suitable building—with a business section in front and interior parking in the back—but he also was moving into an area that, because of the nearby urban-renewal project, would be totally redeveloped and bring additional potential customers into the neighborhood.

SOLD

With these facts before him, Bill Brady closed the deal early in December of 1962 and, with a \$25,000 downpayment, took possession of the \$250,000 property.

"It seemed ideal—the location, the building, the price—everything," he said. "I thought I had looked into everything."

He had, but, as he and thousands of other victims of urban renewal have learned, everything frequently isn't enough in New

York. Bill Brady had failed to consider the inconsistencies, the haphazard planning, and the irregularities that have marked the administration of the city's urban-renewal program since it was first set up.

Within months after he had bought the building, Mr. Brady learned that the board of estimate and the housing and redevelopment Board, established in 1960 to strengthen and consolidate the city's urban-renewal program, were giving serious thought to extending the boundaries of Bellevue South.

Under the new plan, the project would still run from First to Second Avenues, but it would also run from 23d to 30th Streets. Suddenly, Bill Brady found himself standing directly in the path of a Federal bulldozer officially named urban renewal but labeled human or Negro removal by its critics.

PLANNING

"Sure the boundaries for the Bellevue South project have changed many times, but that's the way planning works," says one city official connected with the program. "That's the way planning has to work. When people ask about the area, we tell them that 'Yes, as of this date, there is no plan for that block.' But we also are supposed to warn them that if they are on the outskirts of a proposed project the plans could always be changed. Hell, there are no guarantees about anything in this life. We can't guarantee that your building won't be burned down by an arsonist either."

This city official has a job to do—to clear out slums and bring in more low- and middle-income housing—but he is part of a system that is simply not geared to function for the benefit of the city's little people, those who need help most of all.

In the case of Bellevue South, residents and small businessmen have been treated to a baffling series of shifting boundaries to the north and to the south simply because city officials, after more than 10 years of planning and procrastination, have finally decided that the larger boundaries provide "a neater package."

The project itself officially dates back to April of 1954 when the mayor's committee on slum clearance, headed by Robert Moses, announced that low-rent, State-aided public housing might be coming between 26th and 30th Streets on the East Side.

Bellevue Hospital, the largest of the city's hospitals, had long been seeking low-cost housing in its neighborhood to accommodate some of its 6,600 employees, and when the city planning commission listed the area as "substandard and unsanitary" in December of 1954, wheels began to turn.

By June of 1956, when the slum clearance committee sought planning commission and board of estimate approval to proceed with planning for the project, the boundaries had been extended to cover from 23d to 30th Streets. The approval, however, came at a time when the slum clearance committee was under intensive fire for alleged irregularities in the city's urban renewal program—and, consequently, the project was temporarily shelved.

Yet on June 25, 1959, when the board of estimate authorized the slum clearance committee to apply for advanced planning funds, the project's boundaries now stretched from 24th to 28th Streets. In fact, as late as April of 1961, the housing and redevelopment board (HRB) publicly discussed the project with these same boundaries.

NO SLUM

Though there was occasional mention in the city's newspapers about enlarging the boundaries again and an HRB report dated December 30, 1962 (which listed the boundaries from 23d to 30th Street), it was not until July of 1963 that the planning commission approved the larger \$60 million project and the HRB filed its formal report to Washington.

And what is even more incredible is that it was not until last September 10 that the board of estimate got around to approving the new Bellevue South project and adopted a resolution that the boundaries (24th to 28th Street) set on June 25, 1959, more than 5 years before, should finally be amended to read from 23d to 30th Street.

Today, a small sign is fixed to the front window at 311 East 23d Street. It reads, "No Blight, No Slum" and, inside, Bill Brady and a half-dozen employees go about their business of selling tires. He had been offered \$150,000 by the city for his property after being told that it was assessed for only \$130,000.

Later, city officials discovered that Mr. Brady's 1964 city tax bill listed the assessed valuation at \$170,000, \$40,000 more than the recent assessment and \$20,000 more than they had offered him. Yet, despite this apparent discrepancy, he has been offered no adjustment.

So Bill Brady has decided to sue and has hired Samuel Goldstein, an attorney who specializes in condemnation cases. If this case runs true to form, it will drag out for more than a year and, though he will probably recover some percentage of the money he feels he is legally entitled to, he must now share it with an attorney.

Some condemnation attorneys receive a minimum of 25 percent, but most work on a sliding scale, charging approximately 5 percent if the amount is near the assessed value, considerably more if the owner seeks what he considers payment in full for his investment, tangible and intangible. Mr. Brady expects to pay his attorney \$20,000.

"It's taken me a while but I've finally learned that in this city you've got to look out for yourself," says Bill Brady. "I've fought this all the way and I can't fight any more. I've got to pick up the pieces and start again. I've got to take second best. I paid out \$250,000 and it seems right that I should get it back. You know, they claimed I hadn't made a down payment, came up here looking me over as if there was some funny business going on. Well I know what is right and what is wrong. But I've got to take what they say. They make it sound like it is the law."

RENTS

Until his suit is settled, he will continue to look for another location (he has had no luck so far) and continue to sell tires at 311 East 23d Street, a building he now rents from the city. The rent has been set at \$1,360 a month but, because the city is using four offices above his garage as special quarters for the project administration and because he is still paying the gas and electric bill for the entire building, Mr. Brady has requested a reduction, which the city is now considering.

"The last decade has seen a complete shift from brick and mortar renewal to human renewal in this city," says Milton Mollen, the city's housing chief. "Despite its youth, great strides have been made in New York City under its renewal program. I think the people who criticize the program just don't know what they're talking about. Under our program, the people wind up in better housing and the businessmen are reimbursed."

These are noble sentiments, but, in the case of Bellevue South and other past projects, they are, at best, half-truths. To anyone who spends a week or even a few hours talking to the residents and businessmen of the area, it would seem that New York's human renewal, at times, painfully ignores the human element. Just look at a cross-section of the area's residents and businessmen:

Mario Sargenti, a crippled, 52-year-old importer of food delicacies, is a two-time victim of urban renewal. He had been forced out of the Chelsea area by a State-

aided, low-income housing project in 1958 and had moved to East 24th Street in 1959.

He says he hired an attorney and an architect to check out urban-renewal plans for the area.

He also says—and his lawyer concurs—that they were told by the city planning commission that there were no plans for 333 East 24th Street.

IMPOSSIBLE

The planning commission—and the HRB—both say that this is impossible, that there were plans for 24th Street to be included in the Bellevue South project at that time. They also say that they can't understand how it could possibly have happened.

"It just doesn't make sense," says Lloyd Kaplan, of the planning commission. "He should have been told. But, if he was told, it just doesn't make sense that he would still have bought the property."

Mr. Sargenti did buy the property, for \$63,000, and says he spent an additional \$40,000 to remodel it. The city appraisal for his property was only \$68,000 and now he, too, is being forced to sue the city for money that his lawyer tells him is rightfully his.

"I don't know where I stand any more," says Mr. Sargenti. "I can't move until I get the money from the city. I can't do anything. The city doesn't care about me or any of the people down here. I've worked hard in this city. The city has let me down. Where do I go from here? What can I do? Start all over again—from scratch?"

WRONG

The City Textile Printing Corp., which employs 80 people, mostly in unskilled jobs, has been on East 27th Street for 18 years. "We can't stop what they're doing," says Irving Moskowitz, a company executive. "The city says it's all for progress and we don't have a leg to stand on. But there's another side to this. If they force all of us out of business, where are they going to get tax money from? The city complains about losing businesses and unskilled jobs and then they do this. Since we've been forced to move, we're now going to look for the most favorable spot—taxwise and laborwise." And, according to the company, the list of possible new sites does not include a single one in New York City.

George Baderian, 74, has owned the candy store at the corner of 23d Street since 1911 and lives above it, on the third floor with his three sons.

"It is wrong what they are doing to this neighborhood," he says. "The city is out for itself. It's not looking out for me. I spent my life here. You know what happens when a fish comes out of water. It dies. When I leave here, I die."

Duncan Campbell is a sheetmetal worker who emigrated with his wife and two children from Scotland 8 years ago. Today, he lives at 328 East 28th Street. His problem: He earns too much to move into the low-income Nathan Straus development nearby and too little to move into one of the middle income buildings that are planned for the area.

"There have been five different men here looking and asking what we want to do," says Mrs. Campbell. "We've been doing fine until now. We've been working hard. It's almost as if we were going to be penalized for working hard. The city is killing initiative."

Irving Brender owns a drycleaning shop at the corner of 28th Street and Second Avenue. He and his mother bought the building in May of 1961. The city today has offered him \$58,990 for his property. Outside the project area but only two blocks up the avenue, a building smaller than his own is on sale for \$85,000. Mr. Brender cannot afford to buy this new building.

"I just happen to be in the way," he says. "I'm just going to get the least they want to give me."

Irving Feuer, part owner of the Peter Cooper Pharmacy on First Avenue near 24th Street, is hopeful that the Department of Relocation will move his store to a temporary location somewhere within the renewal area during the construction. For if the pharmacy is forced to close temporarily or move far out of the area temporarily, Mr. Feuer fears he may be out of business permanently.

COMPETITION

Another pharmacy has already rented quarters just up the block in New York Towers, a luxury apartment house just recently completed at 305 East 24th Street.

"We may be the old, established drugstore now," says Mr. Feuer, "but with a new drugstore up the street, how many customers are going to come back to us when we move back? That other store is hurting us already."

It is the new apartment house that really infuriates most of the area's longtime residents and businessmen. This house, where rents average between \$70 and \$75 a month per room, was put up in the last 3 years, even though its owners knew that the city already had urban renewal plans for the area and conceivably could decide at almost any time that their project did not fit into the Bellevue South plans.

"Sure it was a risk," says Nelson Seitel, one of the six owners of the house, an attorney, and a former aid and commissioner of labor under Mayor Wagner. "We figured we could always move faster than the city."

By August of 1963, when the city planning commission held a hearing on a petition to utilize that site for a public housing project, the New York Towers people had already relocated all 122 tenants, cleared the land, and started excavation.

CONVINCER

Mr. Seitel, who represented his coowners at the hearing, says he never discussed the apartment house with the mayor, and doubts whether his political connections helped him in any way. He insists that it was a Federal Housing Administration commitment of \$50 a foot (the price the city would have to pay to acquire the cleared land) and the support of Federal Housing Administrator Robert Weaver, who said the Federal agency would not finance a public-housing project at that price, that ultimately convinced the city administration that the apartment house should stay.

Bellevue South residents and businessmen, far less successful in their attempts to save their homes and their livelihoods, insist, without proof, that Mr. Seitel's political connections were the determining factor.

Whatever the reason or reasons, the fact remains that a long shot paid off for Mr. Seitel and his partners—their house is now listed as part of the approved overall plan for Bellevue South—while several sure things have run out of the money for some other people, who never worked for the mayor.

"We found a good deal of support, almost as much as opposition, for the Bellevue South project," claims Milton Mollen.

What he means is that the residents and owners of the new apartment house, the directors and staff of the church and civic organizations, which will become part of the project, and the people of Bellevue Hospital, who one day will benefit from it, are all strongly in favor of this plan.

What he does not say is that there has been virtually no support from the people Bellevue South affects most—those who presently live and own businesses there.

PROBLEM

Perhaps the biggest problem here—and in almost every other urban renewal area—is the determination of what is and what is not a slum. To people who live and work in these seven blocks (6,215 residents and 147 retail shops), this area is by no means a

slum or seriously blighted. It needs rehabilitation, they agree, but it does not need a bulldozer.

But to the city and Bellevue Hospital, which remains the main force behind the project, the seven-block area is definitely a slum. Of the 2,224 dwelling units there, the HRB classifies 1,632 as "dilapidated," 289 as "deteriorating," and only 303 as "sound."

Under present plans (Mr. Mollen says it will be a minimum of 5 years until the project is completed), the city intends to rehabilitate only 233 apartment units. In the place of the others, the city plans to put up 17 buildings with 2,260 apartments. Of these, only 210 will be public housing, with 35 percent of the others averaging between \$24 and \$33 a room.

Yet the dislocation of residents in the Bellevue South project area has been a lot less painful than it has been in other renewal areas. Although there is not enough public and low-income housing in the project, 267 apartments have been reserved in the recently completed Nathan Straus Houses, a low-income public housing project just outside Bellevue South between 27th and 28th Streets and 2d and 3d Avenues.

PROPOSAL

One proposal—put forward by the Bellevue South Tenants Association—called for the city to build housing for the people of Bellevue Hospital on highway and air rights over the East River Drive and suggested that the HRB rehabilitate rather than tear up the seven-block area. This proposal was presented at a city hall hearing and, despite loud and enthusiastic support, was quickly forgotten.

It is precisely this conflict between rehabilitation and bulldozing that cuts to the heart of urban renewal. Everybody agrees slums and blight are bad. It is the method of getting rid of them that disturbs many people and the city's haphazard planning that disturbs many more.

There will always be a basic conflict where urban renewal is concerned. The city government will always insist a project is for the greater good and the area's residents and small businessmen will invariably insist that it isn't. This conflict is not difficult to understand.

In many instances, these people have paid a price for progress that is truly necessary for the city's greater good. Yet, in the case of Bellevue South and other projects where haphazard planning, indecision, and politics have caused further and greater hardship on the area's residents and businessmen, the price for progress is too high. Here, the people have ceased to be victims of urban renewal. They have become instead victims of the city administration.

TO MANY NEW YORKERS, URBAN RENEWAL HAS COME TO MEAN NEGRO REMOVAL, SAYS THE NEW YORK HERALD TRIBUNE

MR. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

THE SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MR. WIDNALL. Mr. Speaker, the New York Herald Tribune reported on January 25, 1965, that the public housing program in New York City was set up to cure at least one of the problems of poverty, but, because of limited funds, unlimited redtape, and little direction

from the top, "it seems to have created almost as many problems as it has solved."

"New York, Greatest City in the World—And Everything Is Wrong With It" reads a headline in the New York Herald Tribune, which goes on to say:

It is a city in which a public-housing program has been set up to cure at least one of the problems of poverty, but, because of limited funds, unlimited redtape, and little direction from the top, it seems to have created almost as many problems as it has solved. There are currently 520,000 people living in public housing, but there are more than 660,000 others now waiting to get in. At the rate that public housing has been constructed over the last 2 years (12,000 units or apartments since 1962), it would take someone more than 10 years to gain admittance to a public-housing project if he applied today.

It is a city in which more than \$2.19 billion has been committed to urban-renewal projects since 1950 in an attempt to wipe out slums and provide decent low and middle income housing, but one in which the slums continue to spread, the ghettos remain, and there is still a critical shortage of low and middle income housing. To many New Yorkers, urban renewal has come to mean Negro or human removal, the shifting of a minority group from one slum to another.

In my hope that new housing legislation covering urban renewal will forthrightly move to cure the festering problems uncovered and reported by the New York Herald Tribune, I am enclosing the following article from that fine newspaper which was published in its January 26, 1965, issue:

[From the New York (N.Y.) Herald Tribune, Jan. 26, 1965]

AROUSED AND INDIGNANT—URBAN RENEWAL HOPE: PLAGUED BY INDECISION

(By Barry Gottehrer and Marshall Peck)

To New York and dozens of other cities, fighting a seemingly endless, sometimes futile war against spreading slums, urban renewal has become the chief—and essential—weapon for progress. But in New York—and elsewhere to varying degrees—it is frequently a peculiar sort of progress, one that destroys slums out of necessity but one that also often destroys small businesses and uproots lower income families out of ignorance, incompetence and indecision.

Despite the city's extravagant claims, the 15-year-old slum clearance program in New York has consistently failed to live up to its original purpose—"the realization as soon as feasible of a decent home and a suitable living environment for every American family."

The slum-clearance program officially came into being in 1949 with the passage of the title I section of the Federal Housing Act. Under the legislation, the Federal Government agreed to pay cities for slum clearance and redeveloping by putting up two-thirds (the other third to be paid in full by the city or split between the city and the State) of the cost of buying up and clearing slum areas. The cleared land was then to be turned over to builders and developers at a considerably lower price than they would have had to pay if they had cleared the land themselves.

WHEN IT BEGAN

The term "urban renewal" was brought into use in 1954 when the Federal Housing Act was extended to provide Federal assistance on a similar basis for conservation, rehabilitation and comprehensive planning and redevelopment.

Since 1949, the U.S. Government has approved more than \$4 billion worth of urban

renewal contributions nationally, with more than \$263 million allocated for New York City. Out of this, after 15 years, the city now has 41 federally aided projects totaling 63,074 apartment units in varying stages of planning or construction.

Through last month, however, only 3 of these 41 projects and only 24,052 of these 63,074 apartments were listed as completed by the Housing and Redevelopment Board. In a city in which the slums and ghettos continue to spread and where there is a desperate need for more public and middle-income housing, 15 years of urban-renewal work and money have not made notably impressive headway.

The failure of the city's urban-renewal program—coupled with a severe shortage of public housing (New York voters rejected two amendments last November that would have provided 2,500 additional public-housing units—have made the housing problem one of the most critical facing the city.

Some 1.25 million New Yorkers live in substandard housing today and more than 600,000 need to and can't get into public housing.

The white middle class continues to desert the city (more than 800,000 have left since 1950) because the apartments in Manhattan are, for the most part, too small or too expensive.

And the city's Negroes and Puerto Ricans, the principal victims of urban renewal, continue to be pushed from one slum to another.

One of the most outspoken and articulate critics of haphazardly administered and poorly planned urban renewal is Representative JOHN V. LINDSAY, whose 17th Congressional District includes the Bellevue South area. To the Republican Congressman, urban renewal is necessary for progress. But he seems to feel that in New York City urban renewal has unfortunately been allowed to become a necessary evil instead of a necessary good in many instances.

"The purpose of the Housing Act of 1949 is not served when we indiscriminately erase whole communities from the map," says Mr. Lindsay. "We must stop destroying neighborhoods in the name of urban renewal. We must stop ruining businesses, scattering the families we should keep and creating greater pressure on deteriorating housing—all in the name of urban renewal. Past programs have been urban removal rather than urban renewal."

PAYING THE PRICE

To a great extent, New York City today is paying for the capricious manner in which the urban-renewal program was run through the years. Under the direction of master builder Robert Moses and his committee on slum clearance, the urban-renewal or title I program—as it was originally called—was the subject of criticism and the object of controversy almost from the beginning.

Unlike other cities, which would relocate the residents and then clear the land before turning the sites over to private developers, New York insisted upon turning over the sites with the buildings still standing and the tenants still paying rent. This was done because Mr. Moses said it was the only way he could get firm commitments from developers. And what Mr. Moses wanted, Mr. Moses got.

It was precisely this policy, which allowed developers to delay relocation and clearance almost indefinitely while collecting rents from their slum tenants, that led to the start of the program's troubles. By mid-1956, with 10 projects approved but all running far behind schedule, hints of scandal and criticism of the way many slum residents were being treated were commonplace. But the biggest explosion—centering around the Manhattantown project, a six-block area between Amsterdam Avenue and Central Park West and 97th and 100th Streets—was yet to come.

The plan, calling for the construction of 17 apartment houses with 2,720 units, was approved by the board of estimate in September of 1951 and scheduled for completion by August of 1956. Manhattantown, Inc.—a group of developers headed by a builder named Jack Ferman and Samuel Caspert, who previously had been appointed a city marshal by Mayor William O'Dwyer—obtained the six-block area, which the city had condemned for \$16.3 million, for \$3.1 million, putting up only \$1 million in cash.

THE MANHATTANTOWN STORY

But it wasn't until the fall of 1954 when the U.S. Senate Banking and Currency Committee held a 1-day hearing in New York that the story began to leak out.

Mr. Caspert disclosed how he had set up a separate firm headed by his son-in-law which bought all the refrigerators and gas ranges in the Manhattantown tenements for \$33,000.

The son-in-law then rented the exact same refrigerators and ranges back to Manhattantown which, in less than a year, paid him \$115,326. Though the Senate committee reported that \$649,215 had been siphoned out of the Manhattantown project by similar methods in its first 18 months of operation, no official action was taken by either Mayor Wagner or Mr. Moses.

When charges of irregularities continued and the project's scheduled completion day came in August of 1956 without a single building having even been started, Mr. Moses blamed the Federal officials for taking too much time in underwriting a loan for the developers. Yet even when the loans were approved the Manhattantown developers did not pick them up. The situation became so bad in the Manhattantown tenements that one tenant complained she had no hot water for 3 months and no water at all for 1 month.

By mid-1957, the dimensions of the problem no longer could be evaded or denied. Though developers were collecting millions of dollars in rent from slum tenements throughout the city, some of them had not even bothered to pay their taxes or interest to the city. Of the \$1 million owed the city, Manhattantown owed more than \$414,000.

THE MAYOR'S VIEW

Finally, on June 11, 1957, the slum clearance committee recommended that the city start foreclosure action to repossess the Manhattantown site. Nearly 6 years after the project had first been approved, Manhattantown had not paid its taxes (which now totaled \$620,000), had not cleared its land, had not started construction of its first apartment, and had not even picked up its Federal commitments.

At a city hall press conference, Mayor Wagner, who had steadfastly supported the slum clearance committee and its chairman and would continue to do so, was asked why he had done nothing but deny all charges involving Manhattantown in the past.

"We were misled," said the mayor.

"You mean to say you were conned for 5 years?" asked one reporter, who had been a persistent critic of the Manhattantown setup.

"Well, if you want to put it that way—yes," he said. "I guess you could say we were conned for 5 years."

Ultimately, under a new sponsor (Webb & Knapp, later replaced by Alcoa Residences, Inc.) and under a new name (Park West Village), the Manhattantown project became a reality. Today, 2,525 units are occupied (at rents between \$28 and \$55 a room) and another 140 are underway.

Manhattantown, however, wasn't the only urban-renewal project tainted with scandal and dotted with irregularities. In others, it also became obvious that urban renewal might not always work for the benefit of the

slum residents, but it certainly didn't harm the developers.

At one point, the program was being run so haphazardly that a Federal Housing Administrator in Washington reportedly decided to do something about it. According to this story, the Administrator sent word to the slum clearance committee in New York that further funds would be withheld until the city cleaned up its program, eliminated the scandal, and started providing better housing and relocation for the people pushed out.

Within a week, the Administrator reportedly received a call from a superior. The message was supposed to have been loud and clear: "Leave Bob Moses and New York alone."

The Administrator is said to have taken the advice and Mr. Moses, whose own honesty and integrity have never been questioned, continued to administer New York's urban-renewal program in the way he saw fit.

(The Tribune repeatedly has attempted to interview Mr. Moses about his role in the city's urban-renewal program and its history, but has been told that Mr. Moses would under no condition speak to anyone from this newspaper about anything.)

Finally in 1960, the housing and redevelopment board was established to take over the duties of the slum clearance committee and six other municipal programs. Unfortunately, in New York, unlike several other cities (Boston, for one), the urban-renewal program and the city's planning unit, both of which overlap in many areas, were not brought under a single administration.

A PLANNING DECISION

It is still up to the city planning commission, which has received \$3.7 million from the Federal Government under a new urban-renewal arm called the community renewal program, to hold preliminary hearings and designate specific areas for urban renewal.

It is then up to the HRB to request additional funds from the Federal Government for further study of these designated areas and, perhaps someday, for ultimate condemnation and clearance. Theoretically the HRB cannot initiate an urban-renewal project and the planning commission cannot complete one.

Caught up in this massive bureaucracy and this needless duplication of time, money, and effort, hundreds of thousands of New Yorkers must wait—unable to move because there is no place to move to and unable to repair their homes or businesses because banks are extremely reluctant to extend credit to someone whose business or home might be torn down in the next few years.

What then is the difference between the city's urban renewal program 5 years ago and today? Essentially, the difference seems to be that the people running the program now have their hearts in the right place. There are still occasional whispers of scandal, but they are infrequent and unsubstantiated.

Under Chairman Milton Mollen, who last week was named to coordinate all of the city's housing programs, the HRB picked up the cry of other cities in following the leadership of New Haven Mayor Richard Lee and his emphasis on "human renewal." Mr. Mollen tactfully avoids criticizing the old slum clearance committee ("I'd rather not talk about the past," he says), but believes that the entire emphasis of the program has changed for the better—"from simply clearing slums to a concern for the problems they symptomize."

"I think urban renewal is the hope of many areas of the city," he says. "Without it, there's uncertainty. As it is, there's inaction on one hand. In certain areas, such as Bedford-Stuyvesant, private enterprise won't go in. On the other hand, in other areas, private real estate interests are moving in. They only disrupt the neighborhood and they provide no relocation for the people."

In New York now, the department of relocation, which was set up in November of 1962, has taken the job of urban renewal relocating away from the bulldozers. And the city itself—and not the bulldozers—remains in control of the apartments and stores, collecting the rents until everyone is relocated and the site is cleared. Then—and only then—is the land turned over to the developers.

These are decided improvements—steps in the right direction—but the administration of the program and its accomplishments remain far from impressive.

One need look no further than Lincoln Center for a vivid example of the city's urban-renewal program at its very best and, yet at the same time, still not satisfying everyone.

At its best, the Lincoln Center project cleared away a seriously blighted area and provided the city with a cultural core—including a new theater, a new philharmonic hall, and an opera house—that any city in the world would be proud to possess.

Yet even here—where the beauty and worth of the cultural center so clearly demonstrate a step forward from the slum it replaced—there has been criticism—and, to a degree, the criticism is valid.

CAUSE FOR CRITICISM

In the place of the low rent, admittedly slum housing, a string of expensive apartment houses have been built—far out of the price range of the people these buildings have dispossessed. This is the continuing failure of urban renewal—this aimless traffic and removal of lower income people from one slum to another—and it is one that New York officials have been unable to solve.

HRB officials are quick to point out that the Lincoln Center apartment houses are integrated, but they usually fail to mention that they are integrated by upper-middle-class Negroes and not by Negroes and Puerto Ricans who had been driven from the area by the bulldozers. These houses, where 90 percent of the 4,271 apartments rent for \$61 a room, have at best token integration and the project, despite HRB denials, is a prime example of what civil rights leaders call "Negro removal."

"It's unfortunate that someone has to be hurt and suffer but you have got to think of the greater need and the greater good," says one city official. "And, for a city the size of New York, the greater need is the elimination of slums."

Few people—even those uprooted by urban renewal—would dispute this. Everybody knows slums are bad and everybody knows slums must go. But what troubles these people and the many, many others is the lack of leadership from city hall, the indecision and the bureaucracy of the planning and urban-renewal units, the corruption, the politics, the inhumanity, and the irrationality that have plagued this city's clearance program throughout the years of its existence.

DESPERATION OR DECISION?

It makes little sense to clear one slum merely to start another one somewhere else. New housing is desperately needed, but, unfortunately, those who are the most desperate have, for the most part, been the last to get it.

Anyone can tell you that Harlem and Bedford-Stuyvesant both need immediate and far-sweeping urban-renewal programs and low- and lower-middle-income housing, but because of the magnitude of the problem and the uncertainty of where to house the people while the areas are being rebuilt, the city chooses to look and rebuild elsewhere.

"I'm absolutely committed to making New York a slumless city, a city in which every family, regardless of race, color, or creed, will live in a decent home, at a price it can afford to pay, in a good neighborhood with soundly planned community facilities,"

wrote Mayor Wagner in a series of syndicated articles last summer.

The mayor obviously meant every word he wrote, but, to those people forced to move out of Bellevue South, Lincoln Center, and dozens of other renewal areas and those people unable to move out of Harlem, Bedford-Stuyvesant, and the city's other slums, the mayor's inaction speaks louder than his words. No matter what name you call it—be it human renewal or human removal—the city's housing problems are extreme and in desperate need of remedial action.

CLEVELAND PRAISES HOUSE FOR CUT IN AID TO NASSER

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, action by the House, by a 204 to 177 vote, to bar Nasser from receiving American food aid for the next 5 months was wise and I supported it wholeheartedly.

In recent months, Egyptian mobs, encouraged by Nasser, burned the official library and information office we set up to help them; an Egyptian jet fighter, built in Russia, shot down an unarmed cargo plane belonging to an American oil company; and Nasser has unleashed a steady stream of insult and invective against us, telling us in effect to jump in the ocean if we did not like it. All this in spite of the fact that the American taxpayer has poured more than \$1 billion into Egypt, bailing Nasser out of financial troubles time and again.

Our aid, indeed, has helped to make possible Nasser's conspiratorial adventures throughout Africa and his direct contributions to the turmoil in the Congo. Because of it, he has been able to divert resources sorely needed by his poverty-stricken people to promote war in Yemen and stir up trouble throughout Africa and the Mideast. He intimately follows the Soviet line and is in close concord with the Kremlin, acting as if he were in fact, as well as deed, the agent of the Soviet Union.

It is perhaps too much to expect gratitude for the aid we have given and probably it would be unrealistic to do so. Nor ought we to expect that recipients of our aid fall into line with everything we want. Each nation has special problems and individual courses to pursue in meeting them. But we do have a right to expect decency in our relations and respect for our intentions. We ought not to stand for insults and violence against our citizens and our installations. Least of all should we underwrite nations that are in open, even boastful league with our opponents.

It is, therefore, incomprehensible to me that our State Department, only 7 days after the events enumerated above became public, should have blandly announced plans to go ahead with a \$19-million further shipment of wheat to Nasser.

It is high time that the American people let the dictators of the world know that they cannot take our generosity for granted no matter how severely they revile and attack us. So long as the administration does not seem inclined to tell them, it is the duty of Congress to do so.

FINANCIAL CRISIS IN THE UNITED NATIONS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FASCELL. Mr. Speaker, yesterday, January 26, 1965, was a historic day in the United Nations. Our permanent representative to that organization, Ambassador Adlai E. Stevenson, took the floor to outline the position of the United States on the financial crisis which has paralyzed the United Nations. I had the honor to be present on the floor with the U.S. delegation at that time when this major speech was delivered to a packed General Assembly hall. This privilege was accorded to me as chairman of the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs.

Ambassador Stevenson presented the United States position candidly and forcefully. He said that the integrity and future operational effectiveness of the United Nations will be seriously damaged unless the United Nations Charter, the right of the General Assembly to assess for peacekeeping purposes, and the responsibility of each and every member to pay assessments regularly imposed upon them are upheld. Ambassador Stevenson's speech was not, nor was it intended to be, a "shoe banging" denunciation—but it was unmistakably clear, firm, and strong. Because of the historic significance of this speech, Mr. Speaker, I wish to place it in the Record and to commend it to the attention of all my colleagues in the Congress.

Mr. Speaker, as we all know, the 19th General Assembly of the United Nations, meeting in the 20th anniversary year of that organization, finds itself unable to proceed with its business in a normal manner. Pursuant to a tacit agreement, the General Assembly for the past 2 months has undertaken only those matters on which no formal vote is required. A formal vote on any issue would immediately raise the question of the right to vote of several nations who are 2 years or more in arrears on the payment of their financial obligations to the United Nations. Therefore, the United Nations finds itself in the double bind of not having sufficient operating funds and of not being able to function in the General Assembly as it should.

The issue is the interpretation and application of article 19 of the charter which provides:

A member of the United Nations which is in arrears in the payment of its financial

contributions to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years. The General Assembly may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

The present situation has arisen because of the refusal of a number of nations to pay their assessments for certain peacekeeping operations. Notwithstanding an advisory opinion sought and obtained from the International Court of Justice and the acceptance of that opinion by resolution of the General Assembly, some nations still contest the validity as well as the desirability of mandatory assessments for peacekeeping purposes and the applicability of article 19 for their nonpayment.

The following nations for one reason or another have declined to pay their financial obligations and, in our view, are currently subject to the provisions of article 19:

Communist bloc: Albania, Byelorussian S.S.R., Czechoslovakia, Hungary, Poland, Rumania, Ukrainian S.S.R., and U.S.S.R.

Other countries: Belgium, France, South Africa, and Yemen.

At this juncture in the history of a long struggle to achieve international commonsense, there can be little or no question that the United Nations and each of its members have arrived at a very crucial intersection. The decision made and the course of action agreed upon not only could decide the fate of the United Nations, but also the future of the world. The issue appears to me to be greater and more far reaching than whether Russia or any other country is in or out of the United Nations; or is permitted to participate in the deliberations and voting of the General Assembly: the issue is whether the strength and ideals of the United Nations shall be maintained.

The United States, in my judgment, cannot directly or indirectly be party to any agreement, accord, or understanding which circumvents, for all practical purposes, the provisions of the United Nations Charter. Therefore, the United States must continue to reject, as it has already rejected, any proposal which would seek to resume normal procedures and voting in the General Assembly until the arrears are settled which are in the purview of article 19. Similarly rejected should be any proposal to consider modifying or amending article 19 or the peacekeeping procedure or any proposal which has the effect of doing so unless and until the delinquencies have been settled.

The United States is strongly committed to the United Nations in spirit and with funds amounting to about \$2.5 billion over the past 20 years. We, along with almost all nations, have nurtured the concept of mankind living without war. If a few nations, by refusing to pay their bills, threaten to undermine the United Nations, I am not convinced that the United States should follow suit and inflict the death blow by refusing to participate financially. However, the Congress of the United States, which must

authorize and appropriate the regular assessment and the voluntary contributions, will find it extremely difficult and perhaps impossible to continue its full and ready financial support.

The United States should continue to take every action for preservation of the peacekeeping function and the idea of common financial responsibility in the United Nations despite the possible repercussions both at home and abroad. I believe that the United States must urge that the issue of article 19 be met squarely now. Delay will only aggravate the problem.

Ambassador Stevenson's speech, which follows, urges that all nations face up to this issue:

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, IN PLENARY SESSION IN GENERAL DEBATE

Mr. President, I have asked to speak at this late date so I can share with all delegations, in a spirit of openness, my Government's views on the state of affairs at these United Nations as our annual general debate comes to its conclusion.

Certain things which I shall say here today have to do with law, with procedures, with technical and administrative matters. So I want to emphasize in advance that these are but manifestations of much deeper concerns about peace and world order, about the welfare of human society and the prospects of our peoples for rewarding lives.

II

Mr. President, there can be little doubt that we have reached one of those watersheds in human affairs. It is not the first, of course, and surely not the last. But this is clearly a critical point in the long, wearisome, erratic, quarrelsome, but relentless journey toward that wider and wider community which is the central thread of the human story.

Twenty years ago we took a giant stride on that historic journey. We negotiated and signed and ratified the Charter of the United Nations.

The first purpose of the United Nations was to create a new system of world order. Those who drafted the charter were acutely conscious of earlier efforts to find collective security against war and were determined to do better this time.

I speak to you as one who participated in the formulation of the charter of this organization, both in the Preparatory Commission in London and the Charter Conference in San Francisco.

I recall vividly the fears and hopes which filled and inspired us as the Second World War ended—fears and hopes which brought us together in an attempt to insure that such a world catastrophe would never again occur. At those conferences we labored long and diligently, we tried to take into account the interest of all states, we attempted to subordinate narrow national interest to the broad common good.

This time we would create something better than static conference machinery—something solid enough to withstand the winds of controversy blowing outside and inside its halls.

This time we would create workable machinery for keeping the peace and for settling disputes by nonviolent means—and endow it with a capacity to act.

This time we would create working organizations to stimulate economic growth and social welfare and human rights, and put resources back of them.

And this time we would create a constitutional framework flexible enough to adapt to an inevitably changing environment, and to allow for vigorous growth through inven-

tion, experiment, and improvisation within that framework.

Twenty years ago nobody could see, of course, what the postwar years would bring.

But there was a widespread feeling at that time that the United Nations was our last chance for a peaceful and secure system of world order—that we could not afford another failure. For the character of war had evolved from a clash of armies for strategic ground to the possibility of the destruction of populations and the indiscriminate destruction of wealth and culture; the weapons of war had evolved from field artillery to blockbusting bombs, and then to a single warhead that could wipe out a city; and recourse to war had evolved from what was cruel to what could be suicidal insanity.

Twenty years ago there was a widespread feeling, too, that it already was late in the day to begin loosening the straitjackets of unbridled sovereignty and unyielding secrecy—to begin systematically to build the institutions of a peaceful, prosperous international community in the vulnerable, fragile, interdependent neighborhood of our planet. For science and technology were making the nations interdependent willy-nilly—and interconnected whether they liked it or not. Science and technology were making international cooperation and organization a modern imperative, ideology and politics to the side—and were paving the way for a practical assault on world poverty, if the world was up to the challenge.

III

It may well be, Mr. President, that 20 years ago people expected too much too soon from the United Nations.

In the workaday world we quickly discover that social and scientific and institutional inventions—even important and dramatic ones—do not swing wide the doors to utopia, but only add new tools to work with in the solution of man's problems and the abatement of man's ills.

In the workaday world, we also discover, over and over again, that man himself is a stubborn animal, and in no way more stubborn than in his reluctance to abandon the iron luggage of the past that encumbers his journey toward human community.

In the workaday world we discover, too, that to be effective an international organization must be relevant to contemporary world realities, and that there may be conflicting views as to just what those realities are.

So we have learned how real are the limitations upon a single enterprise so bold and so comprehensive in its goals as the United Nations.

We have learned how heavy are the chains of inherited tradition that inhibit man's journey toward wider community.

We have learned that the United Nations will be no less—and can be no better—than its membership makes it in the context of its times.

And yet, Mr. President, we have seen that the charter of this organization has made it possible to maintain a hopeful rate of dynamic growth to adapt to changing realities in world affairs; to begin to create workable international peacekeeping machinery; to begin to grapple with the complex problems of disarmament; to stimulate effective international cooperation and so to move, however erratically, down the road toward that international community which is both the goal of the charter and the lesson of history. I am proud to say that not only has the United States given of its heart and mind to this endeavor but that over the years we have contributed over \$2 billion to the support of the United Nations and its activities.

The progress which this institution has fostered has been accomplished despite the unprecedented character of the organization,

despite the intractable nature of many of the problems with which we have dealt, despite the so-called cold war which intruded too often in our deliberations and despite a series of debilitating external and internal crises, from which the organization has, in fact, emerged each time more mature, and better able to face the next one.

In the short space of two decades, the United Nations has responded time after time to breaches of the peace and to threats to the peace. A dozen times it has repaired or helped repair the rent fabric of peace. And who can say that this has not made the difference between a living earth and an uninhabitable wasteland on this planet?

During that time, the United Nations has sponsored or endorsed all the efforts to halt the armaments race and to press on toward general and complete disarmament in a peaceful world. Its efforts were not fruitless. Agreement was reached on a direct communications link between Washington and Moscow—a step lessening the risk of war through accident or miscalculation. A treaty was signed—long urged by the General Assembly—banning nuclear weapons tests in the atmosphere, outer space and under water. The two states presently capable of stationing nuclear weapons in outer space expressed in the United Nations their intent to refrain from doing so, and we adopted a resolution here calling on all other states to do likewise. In short, the efforts of the last 20 years have at last begun to arrest the vicious spiral of nuclear armament.

In the short span of 20 years the United Nations also has created a versatile range of international agencies which are surveying resources, distributing food, improving agriculture, purifying water, caring for children, controlling disease, training technicians—researching, planning, programing, investing, teaching, administering thousands of projects in hundreds of places, so that “we the peoples of the United Nations” may enjoy “social progress and better standards of life in larger freedom.” These activities are now being financed at the impressive level of some \$350 million a year.

In its brief life the United Nations also has taken major strides toward creating an open community of science—for the peaceful use of atomic energy, for the application of technology to industry and agriculture and transport and communications and health, for a worldwide weather reporting system, for shared research in many fields, and for cooperative regulation of the growing list of tasks—like frequency allocation and aerial navigation—which cannot even be discussed except on the assumption of international cooperation and organization.

We have proved in practice that these things can be done within the charter of the United Nations whenever enough of the members want them done and are willing to provide the means to get them done.

In the process we have left well behind us the outdated question of whether there should be a community of international institutions to serve our common interests. The question now is how extensive and effective these organizations should become—how versatile, how dynamic, how efficient—and on what assumptions about the sharing of support and responsibility.

IV

And yet Mr. President, we have reached a fork in the road ahead of this organization—and thus in our search for world order and our journey toward a wider community.

Is this to overdraw the picture—to overdramatize the situation in which we find ourselves? Not, I think, if we recollect the historic character of warfare.

I assume that we are all convinced that the revolutionary advance in destructive capability—and the danger that little wars anywhere can lead to bigger wars everywhere—has made war an obsolete means for

the settlement of disputes among nations. Yet World War II occurred after it already was clear to intelligent men that war had become an irrational instrument of national policy—that another way must be found to settle international accounts and to effect needed change.

The reason is not hard to find: The level of destruction does not obliterate the inherently double character of warfare. In our minds we tend to associate war—and correctly so—with the ancient lust for conquest and dominion; we tend, rightly, to identify war as the instrument of conquerors and tyrants.

Yet in every war there is a defender who, however reluctantly, takes up arms in self-defense and calls upon others for aid. And this is the other face of war: War has been the instrument by which lawlessness and rebellion have been suppressed, by which nations have preserved their independence, by which freedom has been defended. War is an instrument of aggression, and also the means by which the aggressors have been turned back and the would-be masters have been struck down.

As long ago as 490 B.C., Miltiades and his spearmen saved Greek civilization on the Plain of Marathon from the superior invading forces from Darius. Nearly twenty-five hundred years later, the gallant flyers of the Royal Air Force fought in the skies over Britain until the invading air armadas were turned back, while the indomitable legions of the Soviet Army fought on and on at Stalingrad until at last they broke the back of the Nazi threat to the Russian homeland.

All through the years we have been taught again and again that most men value some things more than life itself. And no one has reminded us more eloquently and resolutely that it is better to die on your feet than to live on your knees than the noble spirit that left us yesterday in London—Sir Winston Churchill.

As long as there are patriots, aggression will be met with resistance, whatever the cost. And the cost rises even higher with the revolution in weaponry. At Marathon 200 Athenians lost their lives. At Stalingrad 300,000 invaders lost their lives.

There, precisely, is the difficulty we are in. Now the end result of aggression and defense is Armageddon, for man has stolen the Promethian fire. Yet resistance to aggression is no less inevitable in the second half of the 20th century than in ancient times.

The powers of the atom unleashed by science are too startling, too intoxicating and at the same time too useful as human tools for any of us to wish to abandon the astonishing new technology. But if we will not abandon it, we must master it. Unless the United Nations or some other organization develops reliable machinery for dealing with conflicts and violence by peaceful means, Armageddon will continue to haunt the human race; for the nations will—as they must—rely on national armaments until they can confidently rely on international institutions to keep the peace.

This, it seems to me, makes the present juncture in our affairs historic and critical. This, it seems to me, is why the Assembly should be able to perform its proper functions in the event of an emergency, and why this issue before us must be resolved.

V

What then is the issue before us, Mr. President? It is, in essence, whether or not we intend to preserve the effective capacity of this organization to keep the peace. It is whether to continue the difficult but practical and hopeful process of realizing in action the potential of the charter for growth through collective responsibility, or to turn toward a weaker concept and a different system.

This choice has not burst upon us without warning. Some 3½ years ago, the late Secretary General Dag Hammarskjöld, in what turned out to be his last report to the General Assembly, foreshadowed this choice quite clearly.

“There were,” said the Secretary General, “different concepts of the United Nations, the character of the Organization, its authority, and its structure.”

“On the one side, it has in various ways become clear that certain members conceive of the Organization as a static conference machinery for resolving conflicts of interests and ideologies with a view to peaceful co-existence, within the charter, to be served by a secretariat which is to be regarded not as fully internationalized but as representing within its ranks those very interests and ideologies.”

“Other members have made it clear that they conceive of the Organization primarily as a dynamic instrument of governments through which they, jointly and for the same purpose, should seek such reconciliation but through which they should also try to develop forms of executive action, undertaken on behalf of all members, and aiming at forestalling conflicts and resolving them, once they have arisen, by appropriate diplomatic or political means, in a spirit of objectivity and in implementation of the principles and purposes of the charter.”

If that language seems mild and diplomatic, the warning was nevertheless clear. If it was relevant then it is no less relevant now. If we needed an organization with capacity for executive action then, how much more do we need it now.

VI

There have been many challenges to the United Nations to act, from the abuse of the right of the veto to the effort to impose a troika to replace the Secretary-General. Now we are faced with a challenge to the Assembly's right even to engage in peacekeeping functions or to determine how they are to be financed and to adopt assessments to support them.

The decision to invest this Assembly with the power over the U.N.'s finances, its power of assessment, was made in 1945 when the charter was adopted. Ever since then, an overwhelming proportion of the members have been paying their assessments on the assumption and understanding that this was, in fact, the law—and that the law would be applied impartially to one and all.

Almost from the outset these assessments have included peacekeeping activities. Starting in 1947 the United Nations Truce Supervisory Organization in the Middle East, the United Nations military observer in Kashmir, the United Nations observation mission in Lebanon, and other similar missions were financed by mandatory assessments under article 17. For 10 years no member of the U.N. thought to refuse—as some are now doing—to pay these assessments, or to condemn as illegal—as they now do—these unique contributions to world peace.

When the assessments for the United Nations emergency force in the Middle East and the Congo operation were passed year after year by large majorities in this Assembly, the members clearly understood them also as mandatory obligations.

This was the understanding of states when they made voluntary contributions above and beyond their regular scale assessments to reduce the burden on members less able to pay.

This was the understanding on which the members approved the U.N. bond issue, and it was the understanding on which the Secretary General sold—and over 60 members bought—some \$170 million of these bonds.

As the Secretary General put it so aptly last Monday, the question is whether the United Nations will, in the days ahead, be

in a position "to keep faith with those who have kept faith with it."

When the argument was pressed, in spite of the U.N.'s unflinching practice, that peacekeeping assessments were not mandatory because peacekeeping costs could not be expenses of the organization within the meaning of article 17, that question was taken to the International Court of Justice for an opinion. We all know that the Court confirmed the principle which the Assembly had always followed: Peacekeeping costs when assessed by the Assembly—and specifically those for the Congo and UNEF—are expenses of the organization within the meaning of article 17. We also know that the General Assembly by resolution accepted that opinion by an overwhelming vote, thus confirming that the law was the policy of this Assembly as well.

VII

The Assembly's most important prerogative in the course of history may well be its power of assessment.

It is the heart of collective financial responsibility and as the Secretary General said last week: "A policy of improvisation, of ad hoc solutions, of reliance on the generosity of a few rather than the collective responsibility of all cannot much longer endure if the United Nations itself is to endure as a dynamic and effective instrument of international action."

It is your power of assessment which is being challenged directly.

It is the power of each member of this Assembly, and particularly those smaller nations whose primary reliance for peace and security and welfare must be the United Nations.

And, make no mistake about it, it is your power to keep or to abandon.

Mr. President, we can live with certain dilemmas and paradoxes; we can paper over certain ambiguities and anomalies; we can ignore certain contradictions of policy and principle in the interests of pursuing the common interests of majorities in this Assembly. And we can, of course, change our procedures and devise new procedures, within the framework of the basic law, for handling our affairs in the future. Or we can change the law.

But we cannot have a double standard for applying the present law under which we have been operating in good faith for the past two decades.

We cannot have two rules for paying assessments for the expenses of the organization—one rule for most of the members and another rule for a few. If the Assembly should ignore the charter with respect to some of its members, it will be in no position to enforce the charter impartially as to others, with all the consequences which will follow with respect to the mandatory or voluntary character of assessments.

VIII

This is not to say that the procedures under which the Assembly exercises its authority must not conform to changed conditions and to political realities. Indeed, we hold that it is important that they do.

This is why my government has suggested that a Special Finance Committee, perhaps with a membership similar to the Committee of 21, be established by the Assembly and be entrusted with the responsibility to recommend to the General Assembly in the future the ways and means under which it should finance any major peacekeeping operations, and that this Committee should consider a number of alternative and flexible financing schemes whenever it is called upon for such recommendations.

We are not dogmatic about this proposal and we are prepared to examine patiently variations and alternatives with other members. Certainly it should not be beyond the ingenuity of such a committee, on a case-by-case basis, to devise ways of assuring financ-

ing arrangements for the future which are generally acceptable, particularly to the permanent members of the Security Council.

But in favoring procedural changes we do not challenge the basic law of the charter; we seek improved working procedures.

We do not seek to undo the past, but to smooth the future.

We support the primacy of the Security Council in the maintenance of peace and security and would support an increase in its role; but we seek to maintain the residual right of this Assembly to deal with such questions in the event the Security Council fails to do so.

We support the right, under the charter, of this Assembly to assess the membership for the expenses of this organization, so long as it enforces this power equitably and impartially; we will also support steps to assure that the views of all are taken fully into account.

We believe the Assembly should continue, within the scope of its powers, to be able to deal, free of a veto, with problems of peace and security if need be. We are prepared to seek ways of accommodating the principle of sovereign equality and the fact of an unequal distribution of responsibility.

The question here is whether the United Nations will demonstrate again, as it has in the past, a capacity for flexibility and adaptation, which has permitted it to grow and prosper in the past and whether we continue to adhere to the prevailing principle of collective financial responsibility for world peace.

IX

It will, of course, be up to the member governments to decide whether this organization is going to continue to work under the charter as it has been accepted by most of us, interpreted by the Court, and endorsed by this Assembly.

My Government is quite clear about its own choice. We want to continue to do our full share in designing and supporting—morally, politically, and materially—any sound expansion of the peacekeeping machinery of the United Nations. We feel there are possibilities for a more diversified family of weapons of peace in the U.N. arsenal—from conciliation procedures to small teams available for investigations of complaints or for border inspection, to logistical plans for peacekeeping missions.

My Government also intends to continue the search for meaningful and verifiable steps to limit and, hopefully, to halt the arms race, and for a peaceful world delivered of the burden of armaments. We intend to pursue with the urgency it merits the objective of stopping the spread of lethal weapons and of halting the multiplication of nuclear arms among those already possessing them. We firmly believe that this is a most urgent objective and that it is in the common interest of all mankind. For if we fail to achieve it soon all the progress attained thus far would be brought to naught and the goal of general and complete disarmament would become more distant than ever.

My Government is prepared to support a further enlargement of the capacity of the international agencies to wage the war against poverty.

We would, for example, like to see the combined special fund and technical assistance program raise its budgetary goal well beyond the present \$150 million once the two programs have been merged satisfactorily.

We would like to see a further expansion of capital for the International Development Association.

We would like to see a further expansion in the use of food for development.

We would like to see some major experiments in bringing to focus the whole family of United Nations agencies.

We would like to see, among other things, the center for industrial development intensify its work on the basis of its early experience and become an effective laboratory for spreading the technology of the industrial revolution to the far corners of the planet.

We feel that there are good opportunities for building up the institutions and programs dealing with the transfer and adaptation of science and technology, and developing programs for wise use of the world's most precious resources.

And, too, we wish to see the final chapter written in the drama of decolonization, and written peacefully.

We, too, wish to explore the desirability of creating some new U.N. machinery in that most neglected area of the charter called human rights.

We, too, want to press on with projects in such fields as weather forecasting and nuclear energy, and resource conservation, and the conversion of sea water to fresh water.

Mr. President, my Government is as anxious as any delegation represented in this Assembly to get on with these priority tasks.

This is to say that we prefer to see this organization move ahead toward peaceful solution of international disputes, toward cooperative international development, toward building the law and institutions of a world community in which mankind can someday turn its full talents to the quality of society and to the dignity of the individual.

This is what we have believed in and worked for at the United Nations for two decades now. This is what most of the members have believed in and worked for as long as they have been members.

X

What, then, is the alternative? What if the Assembly should falter in the exercise of its own authority? What if the Assembly should repudiate its own past assessments, reject the opinion of the International Court, reverse its own decision with respect to that opinion, and shut its eyes to the plain meaning of the charter, and thereby the treaty which gives it being?

I have no prophetic vision to bring to the answer to this question, for this would be a step in the dark down an unfamiliar path.

I can only say with certainty that the United Nations would be a different institution than most of the members joined and a lesser institution than it could otherwise be.

I do not have to draw a picture of the uncertainties, the delays, the frustrations, and no doubt the failures that would ensue were members able to decide with impunity which activities they, unilaterally, considered to be legal or illegal and which, unilaterally, they chose to support or not to support financially from year to year.

And so our world would become not a safer but a more dangerous place for us all, and the hopes for a strengthened and expanded and more useful United Nations would have been dimmed.

I must say in all earnestness, Mr. President, that my delegation would be dismayed if at this stage in history the members of this Assembly should elect to diminish the authority of this organization and thereby subtract from the prospects for world order and world peace. If the General Assembly should detour now on the long journey toward an enforceable world order, I fear we will set back the growth of collective responsibility for the maintenance of peace.

Wise men drew a lesson from World War I and established the League of Nations. And President Woodrow Wilson took the lead in that great experiment, and my countrymen, in hindsight, deeply regret that the United States did not take up its share of the burden in that historic enterprise. But the lesson of World War II was not wasted on us as our active leadership in establishing the United Nations and its charter attests.

Mr. President, who can say whether we shall have another chance to draw a lesson from another global conflict and start again? But this we know full well; we, the human race, are fellow travelers on a tiny spaceship spinning through infinite space. We can wreck our ship. We can blow the human experiment into nothingness. And by every analogy of practical life, a quarrelsome ship's company and many hands on the steering gear is a good recipe for disaster.

In such a world there can be only one overriding aim—the creation of a decent human world order on which we can build a reasonable peace, not simply the precarious peace of balances and alliances, not surely the horrifying peace of mutual terror, but the peace that springs from agreed forms of authority, from accepted systems of justice and arbitration, from an impartial police.

That is why our commitment to an effective working, tenacious United Nations is so deep, and why, in the most literal sense, the United Nations carries with it so much of the hope and future of mankind.

XI

This is our position not because we, among the members, are uniquely dependent upon the United Nations for the security and safety of our citizens.

This is our position not because we, among the members, especially look to the United Nations for guidance and help for our economic development.

This is our position not because we found it advantageous to our narrow national interests to treat assessments as mandatory; we found it a price worth paying in recognition that others also shared the principle that all members bear some measure of responsibility for maintaining the peace.

This is our position, rather, because we believe that in the nuclear age the only true national security for all members lies in a reliable and workable system of dealing with international disputes by nonviolent means, because we believe that we shall continue to face crises and problems which, by definition, can only be dealt with internationally, because we believe that workable, effective international institutions are a plain necessity of our day and age, because we believe that in every secure community shared privileges demand shared responsibility, and because we believe it unwise and unsafe and unnecessary to take a side road at this stage of the journey on which we set out together two decades ago.

XII

Mr. President, beneath all the complexities of the issue that now threatens the future capacity of this organization, there are some very simple, very basic, very plain points to remember.

My Nation and most nations represented here have paid their assessments and have kept their accounts at the United Nations in good standing.

My Government and most governments represented here have accepted the principle of collective financial responsibility for the expenses of this organization and have striven to uphold the prerogative of this Assembly.

My Government and most of the governments represented here want to resolve this crisis without violence to the charter and to get on with our business.

That is why we have all stood available to discuss this issue at all times.

What we have sought, Mr. President, is not defeat for any member of this organization. What we have sought is the success of the United Nations as a living, growing, effective international organization.

But the Assembly is now nearing a fork of the road and I have put the issue frankly because the Assembly may soon have to decide which branch of the road it will take.

And the very least we can do is to be absolutely clear just what we are doing when we exercise that option.

I, for one, cannot escape the deep sense that the peoples of the world are looking over our shoulder—waiting to see whether we can overcome our present problem and take up with fresh vigor and renewed resolution the great unfinished business of peace—which President Johnson has called "the assignment of the century."

OLDER AMERICANS ACT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FOGARTY. Mr. Speaker, in the national climate that seeks to create a Great Society through the enrichment of the life of man, we shall be guilty of dereliction of duty unless we give more than lipservice to the needs of the 18 million older Americans in our present society.

The brochure writers, the social workers, and even legislators talk and write of the golden years and of senior citizens but these are euphemisms. The enormous strides in medicine and technology have added years to life, but for too many, we have merely given them meaningless years in which to exist.

We are on the threshold of enacting a program of health care for the aged and most of us will agree that action is long overdue. However, I am deeply concerned that some may be misguided into believing that health care is the total answer to the needs of the elderly.

If we are to make it possible for older persons to realize their full potential in the later years, we must establish a framework or an organizational structure that will stimulate, assist, and support positive, practical action programs. These should remove arbitrary age barriers, create opportunities based on experience and ability, and recognize the right of older persons to dignity and independence throughout the added years.

This is a plea I have made specifically to each session of Congress since 1958 but the urgency for prompt action in this session has reached the critical stage.

It is inexcusable that 15 years after the first committee on aging was established in the Federal Security Agency in 1950, that we have made so little progress in implementing the knowledge that we have derived from the hundreds—or even thousands of meetings and conferences that have been held on the subject of aging—including the White House Conference on Aging held 4 years ago.

Perhaps I am more deeply aware of this tragedy of inactivity because of my close association with the legislation that has been proposed to restore older Americans to their rightful places as first class citizens.

An objective appraisal of the program on aging pursued in the Department of Health, Education, and Welfare, and by the ever-reorganized—still the same ineffective interdepartmental council on

aging, is convincing evidence of the need for an independent organization in the field of aging; one that can deal forthrightly with the many phases of the subject without being submerged, dominated, or diluted with other programs primarily directed toward welfare.

One need only glance through the latest insult to aging, "On Growing Older" published by the council, to understand why I urge prompt consideration of the Older Americans Act which I am introducing today.

This bill is identical with the Older Americans Act which I introduced last year and which was enthusiastically supported by national authorities, State officials, and organizations of older persons on a bipartisan basis.

On June 11 of last year, the Committee on Education and Labor submitted the following report on H.R. 10088:

The Committee on Education and Labor, to whom was referred the bill (H.R. 10088) to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging," having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The bill meets the major organizational recommendations of the White House Conference on Aging and overcomes the present welfare stigma on aging by establishing the "Administration on Aging" in HEW but removed from the welfare setting and supervision.

The Secretary of HEW is authorized to carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, the following program of: \$5 million for fiscal year ending June 30, 1966, \$8 million for fiscal year ending June 30, 1967, \$8 million for fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years, such sums as Congress may authorize by law.

The Secretary shall carry out titles IV and V—the research development projects and training projects—and is authorized: \$1,500,000 for fiscal year ending June 30, 1966, \$3 million for fiscal year ending June 30, 1967, \$3 million for fiscal year ending June 30, 1968, and each of two succeeding fiscal years; such sums as may be appropriate as the Congress may hereafter authorize by law.

These grants and appropriations have been so authorized to give Congress the opportunity to review the results after 3 years to measure the accomplishments and continuation of the program.

The grants to the States would salvage the programs that were begun in preparation for and since the White House Conference on Aging that need a minimum of financial assistance to move forward.

For the first time, there will have been created at the Federal level, a practical operating program that works with the States, communities, and older individuals toward an action program that will help to achieve the maximum potential

of the older American as a national asset.

I earnestly hope the Older Americans Act will be recognized for immediate consideration and that you will give it your full cooperation and support.

NEED FOR THE ESTABLISHMENT OF A MODERN CONFLICT-OF-INTEREST CODE FOR THE CONGRESS

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, in 1962 Congress passed a law that established a modern conflict-of-interest code for the executive branch of our Government. It was a notable achievement and represented the first major overhaul of conflict-of-interest legislation in the 20th century. I was pleased at that time to have played a key role in that undertaking. It represented the culmination of many years effort on the part of some Members of Congress and interested persons in the executive branch, with a superlative assist from an organization known as the Association of the Bar of the City of New York. That association for almost 3 years worked with a special committee consisting of men of both parties who had served in Government in several administrations. The study was funded by a grant of money from the Ford Foundation and was well staffed. It produced a book and suggested legislation which was sensible, sound, and realistic and ultimately substantially adopted by the U.S. Congress. It represented a graphic example of how an outside group can work in partnership with Government on a complex subject and achieve a result.

Mr. Speaker, we did not in that legislation, except with very minor exceptions, enact any new conflict-of-interest legislation for Members of Congress and employees of the U.S. Congress. There was good reason for this. The Congress and the executive branch are two separate matters and what may apply to the executive branch, many not necessarily apply to the Congress.

It was thought too that it was enough of a job at the time, and it was, to cope with the problem with respect to the executive branch alone. There was enough of a problem to handle without making it even more complex by dealing with the even more complicated problem of the U.S. Congress.

Nevertheless, it was an omission which the country noted at the time, with good reason, because the Congress, like the executive branch, has been operating under an equally archaic group of statutes purporting to affect the behavior of Members of Congress and their relationship to the outside world.

I think that the country expects the Congress will take a look at its own house and revise the standards under which Members conduct themselves as Members and in their relationships with the outside world.

I am today, in conjunction with other Members of the Congress, introducing two proposals. The first one is in two parts. First, it would forthwith and without delay, set up an interim code of ethics for Members of Congress. Second, it would establish a Joint Congressional Committee on Ethics, charged with the responsibility of recommending a very comprehensive code of ethics for Members of Congress and all legislative employees.

Congress has been willing to bear down rather heavily on the executive branch on this question of conflicts. We should be equally willing to enact an exact standard for ourselves. The public is entitled to have such a guide and we are entitled to have such a guide. Many Members want to make certain that they are always correct, but are not sure what the guidelines are. We are entitled to have guidelines, and so is the public.

Knowing the complexities of this subject, I think we can only arrive at a proper set of rules which fully protect the public interest and which are sensible by a complete examination of the matter by a joint congressional committee. Such a committee should be immediately established, should be adequately funded and have a good staff, and the right to call on outside consultants. This is an area where an objective look at the Congress by outside people who have a knowledge of Congress will do a lot of good.

As I stated earlier, the resolution sets up immediately, however, a code of ethics which I call an interim code, because it may not be complete. It is broad in scope, it sets important standards, but there may be omissions I have not thought of. The more thorough and detailed ground rules would be the responsibility of the joint congressional committee.

This interim code, which goes into effect immediately, provides that no Member of Congress, nor officer or employee of the legislative branch of Government, may have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity, incur any obligation of any nature, financially or moral, which is in substantial conflict with the Member's discharge of his duties in the public interest; nor give substantial and reasonable cause to the public to believe that he is acting in breach of his public trust; nor accept other employment which will tend to impair his independence of judgment in the exercise of his official duties; nor accept employment or engage in any business or professional activity which will tend to involve his disclosure or use of confidential information which he has gained by reason of his official position or authority; nor disclose such information for other than official purposes; nor use or attempt to use his official position to secure unwarranted privileges or exemptions for him-

self or others; nor give reasonable cause for belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position, or influence of any person or political party; or give reasonable cause for belief that he is likely to violate his trust.

In addition, the interim code provides that any Member of Congress, or officer or employee of the legislative branch of the Government having a financial interest, direct or indirect, having a value of \$1,000 or more, in any activity of any kind which is subject to the jurisdiction of a regulatory agency, should file with the Comptroller General a statement setting forth the nature of such interest in such reasonable detail, and in accordance with such regulations as shall be prescribed by the Comptroller General.

Enactment of this resolution, I believe, immediately, preceding the establishment of the joint committee to examine the basic question, I think is of great importance and should be done in this session of the 89th Congress. This I think in itself would do much to restore the Congress again to the proper position of respect that it should enjoy unanimously by the people of this country.

I have also introduced at the same time, and am joined by other Members, a companion resolution which would amend the Administrative Procedure Act to provide that any written or oral communication between a Member of Congress or his staff and a Government agency concerning matters under adjudication before the agency be made a part of the public record of the proceeding in question. Enactment of this measure, I believe, will make it impossible for any improper congressional influence to manifest itself in an improper fashion. Indeed, it would have the salutary effect of removing the appearance of impropriety in communications which may be entirely proper.

Mr. Speaker, I do not know how long it would take for a proper study by the Members themselves using such outside staff and consultants as would be required to do a complete job in this area. It should not take anywhere near as long as the New York Bar Association study of the executive branch. That group of panelists and staff members, from all over the country, devoted all day Friday, Friday night, and half of Saturday, at least once a month, for 2 years. It took them that long to satisfy themselves that they had been fair and complete in their study of this complicated problem.

I think the Congress ought to be able to work faster because we are full-time people—or at least we should be full-time people—and we can put together a full-time staff, and at the same time call upon universities and other institutions and persons that have knowledge of political science and the Congress to help us. We ought to be able to write a permanent code of ethics and a set of laws that would give Congress proper guidelines and fully protect the public interest. We owe this to the country, and we also owe it to ourselves as Members of the Congress.

Now, Mr. Speaker, I am delighted to say that I have been joined in the introduction of these resolutions by the gentleman from North Dakota [Mr. ANDREWS], the gentleman from Kansas [Mr. ELLSWORTH], the gentleman from New York [Mr. HORTON], the gentleman from California [Mr. MAILLIARD], the gentleman from Pennsylvania [Mr. MCDADE], the gentleman from Maryland [Mr. MATHIAS], the gentleman from Massachusetts [Mr. MORSE], and the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman.

Mr. REID of New York. Mr. Speaker, I am very happy to join with the distinguished gentleman from New York in the introduction of this significant legislation today. I believe that there is very clear and pressing need for a Committee on Ethics, an interim code of ethics, and equally for amendments to the Administrative Procedure Act to make it abundantly plain that any contact between a congressional office and any Federal regulatory agency—whether it be written or oral—be made part of the public record.

Admittedly, the subject is complex, but I submit that the principle at stake is basic. In a word we cannot indefinitely continue with a double standard—one standard for the executive branch and virtually none for the Congress.

A comprehensive code of ethics for Members of Congress and all legislative employee is long overdue.

In my judgment, enactment of this resolution would be a significant step toward restoring to the Congress of the United States the respect to which it should be entitled. I wish to congratulate the Member from New York [Mr. LINDSAY] and to say I believe his initiative in this regard is important and that indeed the country expects the Congress to act and particularly to act with regard to setting its own house in order.

Mr. LINDSAY. I thank the gentleman from New York for his comments and for the contribution he continues to make in this field.

Mr. ANDREWS of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to my colleague from North Dakota.

Mr. ANDREWS of North Dakota. I am very happy to join with my friend from New York in the introduction of this very important legislation.

Our country goes on through the consent of the governed like no other nation in this world. Our people have the right to know—in fact, they must know—exactly what interests each individual Member of our Congress has which may affect his vote on critical issues which come before the House and the Senate.

I am a farmer. I suppose one could say I have a vested interest in certain farm legislation as it comes along, but everyone knows I am a farmer because one cannot hide acres under a rug.

This public disclosure of an individual's interest I believe is necessary to the conduct of and confidence in this Congress.

We are dealing with the people's money. We are dealing with \$100 bil-

lion every year of the people's money. It is important that we get a full return for each dollar spent.

But we are also dealing with the people's future. It is even more important that any decision made be made regardless of and free of any bias which might exist on the part of an individual Member of Congress.

Our Government will remain strong and effective only so long as it has the full confidence of the people of this country. For this reason I am very happy to join with my friend from New York in introducing this important landmark legislation.

Mr. LINDSAY. I thank the gentleman from North Dakota.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Iowa.

Mr. GROSS. Did I correctly understand the gentleman to say that there is a code of ethics for the executive branch of the Government?

Mr. LINDSAY. No. What I said was that 2 years ago the Congress enacted a revision of the conflict-of-interest statutes as they applied to the executive branch of Government. It was a comprehensive omnibus bill and it was signed into law by the President.

What it did was to collate, revise, and bring up to date a whole series of statutes which had come into the code in bits and pieces for almost a century. The modernization was a definite improvement. Executive branch employees know more clearly where they stand today than they knew before, and this public interest has been more carefully safeguarded.

Mr. GROSS. I wondered, if there were a meaningful code of ethics for the executive branch of the Government, why such "characters" as Walter Jenkins could be protected and kept from testifying before a committee of Congress; but evidently the gentleman is not talking about code of ethics, he is talking about a conflict-of-interest statute.

Mr. LINDSAY. Yes. I was talking about a conflict-of-interest statute.

Of course, the administration of a law of that kind is important; it must be properly administered.

THE OBLIGATION OF THE MINORITY IN THE CONGRESS IN RELATION TO FOREIGN POLICY

Mr. Speaker, while I have this time to speak, I wish for a few moments, before I release the floor, to discuss very briefly another subject, not related to the one I have just discussed, but of equal importance. That has to do with the obligation that the minority has in the Congress, the Republican minority, in respect of foreign policy. The reasons why this subject is timely are two in number. One, apparent to everyone, is the vote that was taken yesterday on a complicated subject having to do with a complicated and fuzzy area of foreign policy. The second reason is the reduced state of the minority in the House of Representatives in this Congress and the enlarged state of the majority.

I am one of those, as many others on my side of the aisle, who have been very careful to see to it that we supplied a

high degree of bipartisanship in the area of foreign policy. This I have regarded as important and essential, and it has behind it a long heritage of Republican philosophy which was manifested, as clearly as at any other time in Republican history, in the days of Senator Arthur Vandenberg. I, and I know others on my side of the aisle, intend to continue to exercise a high degree of bipartisanship when it comes to foreign policy. Bipartisanship, however, does not mean that we can or should ignore our obligation to the country to discover what our policy is. Indeed, I believe the country is quite concerned lest, under this reduced minority, there be insufficient, if any, constructive "opposition," in the parliamentary sense. Will we live up to our obligation to the country and, as the minority party, see to it that policy is clearly stated?

Bipartisanship in foreign policy on the part of Members of Congress or of any parliament does not mean, I repeat, that we do not have an obligation to insist that the Government tell us what Government policy is, who is making it, where it is going, and what it is intended to achieve. The great service of honest debate in the competitive two-party system is the discovery of truth. Policy should always be tested and examined. Conditions are such at this moment with the reduced state of the minority in Congress that there is a higher obligation, I think, than ever before on that minority to be a proper opposition in the sense that we insist that the Government make clear to the people through their elected representatives what U.S. foreign policy is. This is something that we minority members are free to do. Our friends and colleagues on the majority side of the aisle are not so free to do it for very understandable reasons. They are in the majority and hence they are a part of the Government. I found that after the campaign was over and we saw what a reduced state the minority was in, a great many people, Democrats and independents alike, were concerned about the problem of opposition and wondered about how it would be handled. They are genuinely worried about it.

Yesterday it was stated on the floor of the House, by the Speaker no less, that the country had spoken and put President Johnson in with an overwhelming mandate, and so forth and so on, proving that the President has the people's full confidence in the area of foreign policy.

Well, now, I came in in my own district with 72 percent of the vote. President Johnson carried my district by somewhere between 70,000 and 75,000 votes and I carried it over my Democratic opponent by 91,000 votes.

I think, if I can believe what people say, that many people were concerned about what was going to happen to the loyal opposition, particularly in the area of foreign policy. This was true on the part of thoughtful people of both parties before the election, and even truer after the election.

This problem is compounded by the curious silence of the administration on matters affecting our most vital interests. I still have not discovered the rea-

son why there is only the slightest tangential mention of foreign policy in the state of the Union address that was delivered to a joint session of the Congress, in spite of the fact that this is the number one subject facing this country today; and there was no mention of it in the inaugural address, again in spite of the fact that no area is of greater moment or importance to the country. And, before and after, Presidential press conferences have not helped.

I go back to what I said at the outset which is that there is an obligation on the part of Members of Congress to insist that the Government tell us what policy is and who is making it. The latter is important because in Vietnam policy has been made by the Department of Defense, not by the Department of State, as nearly as we can discover. At least, the chief spokesmen have been officers of the Pentagon, not of the White House or of the Department of State during the most critical periods of changing turmoil. As near as I could make out operations were making policy, and snowballing into policy, instead of policy governing operations. It seemed that there was no policy in Vietnam. And now we are frozen into a hopeless position into which we should not have fallen.

Wherever possible I think minority Members have an obligation to say what they would do alternatively, in the area of foreign policy, if that is possible. But it is not always possible. We are not parties to the daily intelligence that comes in from intelligence sources all over the world and through the intelligence community of our Government. And we are not told. We are not in a position to make detailed proposals on some of these very sensitive areas that involve quasi-military operations, as in Vietnam. We therefore discharge part of our obligation simply by asking questions and insisting upon clear answers.

Our trouble in some parts of the world is that we have had no clear policy. I think this includes the Middle East. When congressional action is taken which is critical of Mr. Nasser's boycott of us and our people and our interests, or which takes aggressive action against us and our allies it seems to me our State Department agrees with us. They say, privately, that they wish they were free to exercise greater leverage on Nasser, but because of this or that they are not. I, for the life of me, have not been able to discover exactly what we think we are doing in respect of this very dangerous and difficult problem of Middle East relationships, internal and external. It is admitted that, for example, Mr. Nasser is aiding and abetting unrest and disorder in the very area we are trying to stabilize in Africa. Nasser has outdone the Chinese Communists and the Soviets in subversion and inciting to riot in this area. Nasser has fought and subverted every Western and U. S. interest in this part of the world. Where we have sought to stop the spread of infection and bloodshed they have sought to spread it. Where we have sought to help Africa they have sought to hurt it. They import arms and teach murder. To the north aggressions are committed every day of the week, as was pointed out on

the floor yesterday by our colleague, the gentleman from Massachusetts [Mr. CONTEL], against the State of Israel, which is a bastion of strength for the West in this sensitive part of the world. The United Arab Republic has been irresponsible and anti-United States on matters such as the fair division of the waters of the River Jordan and Mr. Nasser rants daily against us and Israel. Our Government each time it is asked the question, "Why do we persist in giving him money?" says in answer, "Yes, you people who are troubled about our ambivalent position in the Middle East really have a point but we are not sure what we can do about it."

Mr. Speaker, I think we have an obligation to insist particularly under the circumstances of today—a government unclear and uncertain on foreign policy, an unwillingness to define it or to make hard decisions, and a huge and probably docile majority in its pocket—we minority members must be willing and ready to ask straight questions. If the Government wants bipartisan support, which we will give as far as we can, it if must be honest with us, consult with us, and tell us its program. And it is not enough to receive a chunk of boiler plate marked "Special" and "Confidential," all of which has appeared in fuller form in the newspapers a month earlier, and which still says nothing.

Mr. Speaker, I am one of those who believe that we ought to have a question and answer period on the floor of the House and the Senate, with the Secretary of State permitted on the floor to submit to questions. This is the parliamentary technique. We have borrowed from the English Parliament before and we can do it again. In this way all Members can be advised as to what the Government's position is and we can satisfy our constituencies that we at least know what our Government's position is, whether we agree with it or not.

Mr. Speaker, for all of these reasons, I wish to serve notice that I am going to insist as just one Member of the Congress, if nothing else, on the floor of this House, that the Government define the future course of foreign policy in this country.

I believe we have an obligation as the minority to do this, and an obligation to the country, both in order to obtain the truth about policy and to force the administration to make decisions it probably would rather not make. If you have served in the executive, you know perfectly well that it is easy to avoid the tough ones. You fuz it over and pray that Congress leaves town.

Sometimes it is very difficult to have to make up your mind as to what your position is on a given subject, but in a free system it is expected that you do.

I want to know what our policy will be in respect to the Far East in general and on China? What are we going to do about trade? About the U.N.? About Sino-Soviet shifts? Where are we going in the complicated question of the Atlantic alliance? What we are going to do about the pressures that come from General de Gaulle which involve not just General de Gaulle but a more basic nationalistic pressure that is sweeping

Europe? What we are going to do in Africa and what new leadership here and in Latin America?

Mr. Speaker, we Members of the minority have an obligation to ask these questions, and unless we receive answers I think we have an obligation to put the Government to the test as we did in the vote yesterday on the floor of the House of Representatives.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Iowa.

Mr. GROSS. I certainly agree with the gentleman from New York that in practically all areas of this world we lack any definitive statement on the part of the State Department or anyone else in this administration as to our policy and it is because of the absence of this that a few of us at least in this Congress and past Congresses have refused to vote for foreign aid bills to spew out billions of dollars a year.

Mr. LINDSAY. I thank the gentleman.

I wish to say in that connection that I have never failed to support a foreign aid bill in the 6 years I have been a Member of Congress. From time to time I have felt it necessary to take positions on amendments that were offered which were difficult positions for me to take on my side of the aisle. I believe that on the whole, the whole foreign aid bill has resulted in a plus for the United States and the vital interests of the United States around the globe. Also, I continue to lend support to matters that are foreign policy areas, and the foreign aid program is a part of foreign policy. If it is not thought of as foreign policy it is not right. I expect to continue to do that. But I am going to do it only after I have satisfied myself that the Government has a policy that is supported by the facts and has the courage to face the hard ones in the future.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I would compliment the gentleman on his remarks because, indeed, I think the people of the United States do expect the minority to pursue a responsible course of action here in the Congress that will lead to a meaningful bipartisan foreign policy. It is plain that the position of the U.S. Government in certain areas of foreign policy is not clear. It is equally true, I believe, that there are certain tests in foreign policy that must be applied and that the American people must be fully apprised of.

One of the first of these is whether or not we identify emerging problems and deal with them—through creative statesmanship before they become crises endangering the peace.

I think in the spirit of bipartisanship it is important not only in South Vietnam, not only in the Congo, but equally in the Near East, that policy be made clear whenever possible, because it is a matter of fact that the United Arab Republic has not honored its undertakings with regard to withdrawal under certain conditions from the Yemen. It is clear

that the recent Arab summit conferences have taken a position that is belligerent—specifically defining “the national cause as that of liberating Palestine” and “adhering to a plan of joint Arab action.”

It is true that the United States stands back of the unified Johnston plan of 1955 in the Near East for the equitable sharing of the Jordan River waters by all the riparian countries. Yet we have seen a conference of Arab chiefs of state take a position with regard to the diversion of some of these headwaters. If this policy is continued, it might lead to a *casus belli*.

In my judgment it is a responsibility of the Congress to ask the Secretary of State appropriate questions to see whether our policies are effective; to find out whether they are in fact truly building the peace. In the Near East the fundamental question is whether the armistice agreements can be translated into documents of peace; whether a third war in this area can be prevented. I believe hostilities can be prevented but only if our policy in concert with other nations in the area is firm and clear, only if it is unmistakably evident that we will not stand for belligerency, that we will not stand for aggression, and that we stand wholly back of the United Nations and will not condone repeated violations of the spirit and letter of the United Nations Charter.

So I hope that this kind of inquiry can go on from time to time, and I would join with the gentleman in urging the House to make it possible for the Secretary of State to answer forthrightly on the floor of the House pertinent questions in the national interest.

Mr. LINDSAY. I thank the gentleman from New York. I think the record should show that the gentleman knows whereof he speaks, as he was a distinguished Ambassador of the United States in the Middle Eastern area. He was, for a period of years, U.S. Ambassador to the State of Israel. So I am delighted to have his constructive comment on these remarks I have made this afternoon.

Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks made under this special order today, and also that the gentleman from North Dakota [Mr. ANDREWS], the gentleman from Kansas [Mr. ELLSWORTH], the gentleman from New York [Mr. HORTON], the gentleman from California [Mr. MAILLIARD], the gentleman from Pennsylvania [Mr. McDADE], the gentleman from Maryland [Mr. MATHIAS], the gentleman from Massachusetts [Mr. MORSE], and the gentleman from New York [Mr. REID] be permitted to extend their remarks following these remarks.

The SPEAKER pro tempore (Mr. ANDERSON of Tennessee). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I wish to commend my able and distinguished colleague from New York for proposing the legislative code of ethics, and I am pleased to join with him in the

introduction of this concurrent resolution here in the House today.

Since the Congress felt it necessary to establish a conflict-of-interest code for the executive branch of Government in 1962, I feel it is only proper, particularly in view of events surrounding the resignation of the former secretary of the Senate majority, that we take the proper steps to put our own house in order.

I hope the Congress will act immediately to establish this Joint Committee on Ethics to recommend a comprehensive code of ethics for Members of Congress and all legislative employees, and thus return the greatest legislative body in the world to its proper position of high esteem.

Mr. MORSE. Mr. Speaker, I am pleased to join with my distinguished colleague, the gentleman from New York [Mr. LINDSAY] in introducing legislation to establish a Joint Committee on Ethics. This is not the first time that the gentleman from New York [Mr. LINDSAY] has exercised leadership in this field. As a member of a special committee of the Bar Association of the City of New York, he played an important role in the preparation of comprehensive revision of our conflict-of-interest laws as they affect the executive branch. He pointed out in 1962 when that revision was adopted by the Congress that we must set our own house in order in that regard.

The gentleman from New York, Congressman REID, has also played a significant role in this field and I am pleased to join with him also in introducing this resolution.

The accomplishment of these reforms is vital to the integrity of the legislative branch of Government. The problem we deal with here is not a simple one. It is for this reason that the resolution calls for a joint committee which can give careful study to conflict-of-interest problems which are admittedly quite different in many respects from those of the executive branch.

This detailed study will enable us to avoid the pitfalls in drafting what will be a permanent code of ethics for the conduct of Members of Congress. A reasonable, precise code can be drafted that will not inhibit legislative judgment or discourage the most qualified citizens from seeking public office.

There are times when our interests as Members of Congress may conflict with our interests as homeowners, parents, stockholders, lawyers, or businessmen. It is impractical to require Members of Congress, who must deal with the whole range of governmental interests, to disqualify themselves or to divest themselves of all financial interests. Our problems are quite different, but the establishment of clear standards will eliminate the shadow area of doubt and show to the public at large our determination to conduct the public business according to the highest ethical standards.

It is my hope that this resolution will receive prompt consideration and that it will pass so that the study by the joint committee proposed can get underway as soon as possible.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman.

Mr. PERKINS. I thank the distinguished gentleman from New York for yielding.

Mr. Speaker, I ask unanimous consent that I be permitted to extend and revise my remarks in the body of the Record.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE LOCAL PUBLIC WORKS ACT OF 1965

Mr. PERKINS. Mr. Speaker, the Local Public Works Act of 1965, which I have introduced today, will provide funds to enable many local communities to establish and maintain adequate water and sewage facilities, along with sewage treatment plants, which are essential to our future water supply in this country.

The present provisions for these programs are entirely inadequate and create a real hardship on communities with declining business activities and employment. The current limitations on such grants, both as to maximum amount and percentage of Federal participation, make it impossible for them to meet the general health standards now in effect in most States. Other projects, such as public buildings, have reached a state of obsolescence, which requires their replacement at an early date.

In general, local tax bases are not adequate to meet these demands. Other public facilities, such as parks, playgrounds, hospitals, and community centers, have never been adequately financed and cannot be under our present National, State, and local tax setup.

This bill provides special consideration for the so-called depressed areas, but also provides for grants to all communities without population, unemployment, or other limitations.

We cannot be a prosperous nation until adequate provision is made to provide modern public facilities for every community in the country.

ATHLETIC PROFESSIONALISM IN OUR SERVICE ACADEMIES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, yesterday I commented on the fact that the unfortunate cheating scandal at the Air Force Academy, like a similar scandal at the Military Academy in West Point in 1951, obviously stemmed from the undue emphasis placed on varsity athletics, chiefly football, at our three service academies, an emphasis which can only be described by the term “athletic professionalism.” I said that such emphasis on athletics, especially football, as a special kind of activity at the academies and a special be-all and end-all for a

substantial part of the Academy staff is simply out of place in today's modern military world and has no proper role in the mission of these academies supported by the Nation's taxpayers.

I am pleased to bring to the attention of my colleagues today two items which bear on the point I was trying to make. One of them is an editorial broadcast yesterday and today on WTOP radio and television in Washington by WTOP Commentator Jack Jurey.

The other is an address which has been called to my attention, delivered by Vice Adm. Hyman G. Rickover, U.S. Navy, at the U.S. Naval Academy on April 16, 1963. In the course of his remarks Admiral Rickover said the following:

Convinced as I am of the importance of intelligence and education to military leadership, I have in the past proposed certain changes at the Naval Academy. I have, for instance, recommended decreased emphasis in nonacademic areas like organized athletics and extracurricular activities. These too often tend to become ends in themselves and thereby detract from academic effort, which should receive foremost attention. The retort invariably is the old chestnut attributed to the Duke of Wellington: "The Battle of Waterloo was won on the playing fields of Eton." This implies that the qualities required for success in warfare are acquired on the playing field rather than in the classroom. If it ever was true of any wars, it is certainly not true of modern wars. There is no clear evidence that the duke ever made this statement. The headmaster at Eton incidentally believes the duke said something to the effect that he had learned the spirit of adventure by jumping over a ditch. The duke, you may be interested in knowing, liked to toboggan around the corridors on a tea tray drawn by a team of young women.

Athletics are, of course, essential to the physical fitness of young men. But not overorganized athletics. They become a drain on time and energy which should be devoted to the more important aspects of education. The time one has during his life for uninterrupted devotion to intellectual development is too brief even under the best of circumstances. Long ago a Greek physician sighed, "The life so short, the art so long to learn." I commend this sentiment to all of you. It is unwise to devote too much of your time to nonessentials, athletic department and alumni pressures notwithstanding.

It is not really the function of the Naval Academy to engage in large-scale competitive spectacles for the benefit of the public. Of course, it will be said that this sort of competition develops leadership.

I doubt this. The American economic and industrial system is also based on competition, yet the better colleges from which business recruits its leaders are now deemphasizing organized athletics. Knowledge now doubles every 10 years, hence the demands on the intellectual qualities of leaders are therefore growing apace. Can we then afford to devote precious time—time that can never be regained—to anything that is not essential?

You know that much of college athletics today is big business. Professional coaches are hired at considerable expense to win some sort of status for the college where they happen to be working that year. But do the methods used by most coaches really develop leadership in the student player? The coaches call the shots; they manipulate the players in accordance with schemes developed by professional staffs. If it is initiative, team spirit and the like which is intended to be stressed, then it would seem logical to

let the students call their own shots. In this manner, individualism, originality of thought, pride in accomplishment would be inculcated in the player and not remain with the coldly calculating professional athletic organization.

Take the case of intramural sports. It so happens they were started here when I was a midshipman. The idea was good. It was to get as many midshipmen as possible to learn to play various games—to extend such an opportunity to more than varsity squads. The organization and schedules were left up to the midshipmen themselves. While important to the individuals involved, the outcome did not count for the company competition. Today, however, it seems that intramural sports are in danger of becoming overorganized, like varsity athletics. The important role they now have in intercompany competition may induce midshipmen to give them too much emphasis. Is the excess emphasis worth it? Does it really contribute to developing good officers?

Under leave to extend my remarks, I include the text of the WTOP editorial and also the full text of the address by Admiral Rickover:

WTOP EDITORIAL

(Broadcast on January 25 and 26, 1965, over WTOP radio and television by Jack Jurey)

From what already is known about the Air Force Academy's cheating scandal, it appears that as much as 75 percent of the football team is involved, together with other members of the cadet corps. This has led New York Congressman SAMUEL STRATTON to send a telegram to Defense Secretary McNamara complaining of athletic professionalism. Mr. STRATTON, a member of the House Armed Services Committee, charges that in the effort to create a football team good enough to compete with major colleges, Air Force has accepted athletes with marginal academic standards and that some of these young men are forced to cheat in order to keep up their grades. The Congressman charges further that three of the service academies—Army, Navy, and Air Force—put entirely too much emphasis on football, emphasis which, he maintains, "has no proper place in any tax-supported institution."

Somebody ought to pay some attention to what Mr. STRATTON says. The West Point cheating scandal of 1951 included a high percentage of football players. Now the Air Force seems to be in the same situation. And at Annapolis, where no cheating has been detected, there still is an overpreoccupation with football. The biggest recent news from the Naval Academy had to do with the firing of one football coach and the hiring of another, as if it makes a tinker's dam to national security whether Navy has a good football team or not.

The Army, Navy, and Air Force Academies were established to train officers in military technology and give them an understanding of the military's role in a free society. That is a full-time assignment for any school, without any effort to maintain a semiprofessional football squad on the side. The Air Force scandal is an extremely good reason to deemphasize service football and keep it deemphasized.

EDUCATION FOR NAVAL LEADERSHIP

(By H. G. Rickover)

Admiral Kirkpatrick was good enough to ask me to speak with you today. He thought you might be interested in my views on some aspects of the education of naval officers. I hope what I say will have pertinence to the problems you will face throughout your naval career.

First I will explain why education is indispensable to leadership. Then I will tell you what I consider to be weaknesses in

the education of officers—weaknesses which are inimical to the development of the military leadership our Nation requires. Finally I will urge you as individuals to take specific steps which can assist you in developing your own potential for military leadership. I limit myself to the Navy because of my greater familiarity with the service in which I have been on active duty for 45 years.

Science and technology are rapidly and radically changing the world and forcing mankind to face up to two alternatives: Adopt new ways of thinking or risk extermination. I need not belabor this point; no thoughtful person can help but be aware of the grave problems confronting us and of the inadequacies of traditional ways of dealing with them. Some of the concepts that we have long been taught and accepted are no longer relevant; others are no longer adequate; still others have now become profoundly dangerous. As Magnus Pike has said: "There have been many well-run societies and there have been well-run armies, too. The danger arises when big changes take place. When this happens a system designed for a particular purpose needs to be changed to meet the changed circumstances. If the system has become rigid, however, and people are not willing to change it, then it begins to impose itself on them."

We cannot cope with this new world if our minds are like attics stored with abandoned and useless furniture. What this new world demands of us is that we learn and that we think. Only those who have been taught to think with their own minds can discover and remedy their own deficiencies.

Our leading colleges recognize this problem and are upgrading their curriculums so as to prepare their graduates more adequately for coping with the increasingly complex problems they will face. I have been privileged to work with the engineering schools of Princeton, Yale, and Cornell and to assist them in revising their programs. These colleges as well as many others have replaced descriptive and applied courses with subjects which develop understanding of basic principles. To quote Dean Elgin, of Princeton:

"Instructure in the engineering principles of heat and mass transfer, mechanics of solids and fluids, and of electromagnetic theory is replacing the teaching of the technologies of diesel engines, steam powerplants, the manufacture of gasoline or alcohol, and how to construct an alternating current motor."

The basic humanities have not been slighted to accomplish this. Leading engineering schools now require that a substantial portion of their courses be in the areas of history, languages, English, and the like. Here too the emphasis is on principles, not on descriptive or applied subjects. A serious intellectual attitude is fostered and it is not surprising that those who most successfully meet this intellectual challenge are also the ones who succeed in the tasks they undertake after graduation. Let me quote from a recent report (Apr. 5, 1962), by Frederick R. Kappel, chairman of the board of the American Telephone & Telegraph Co., on a study made of the records of 17,000 college graduates in his company:

"The figures show that the single most reliable predictive indicator of a college graduate's success in the Bell System is his rank in his graduating class."

Like other colleges, the Naval Academy has been attempting to improve its curriculum. Some improvements have been made; others are currently being considered. Independent of these attempts, however, each of you should acquire an awareness of the importance of grasping the basic fundamentals of mathematics, science, engineering

and the humanities. There is evidence you are not doing this. I know some of you feel that because the Academy is a military institution it need not compete with other colleges on an intellectual level; that perhaps military leadership is not in any significant way dependent on intellectual development. Nothing could be further from the truth, as I hope to show you.

Let us examine closely and critically just what military leadership consists of in the changing world in which your naval careers will be spent. The significance of military leadership has reached unprecedented importance, not only because of the obvious military threat to our country but also because of the increasing role of the military in our foreign relations and in our national economy.

Certain attributes of military leadership have always been important to success in warfare; among these is knowledge. History warns us to recognize the importance of this attribute; it supplies us with many examples where failure to do so has led to defeat. One striking example of such a failure is the war of 1870 between France and Prussia. I quote from Michael Howard's book, "The Franco-Prussian War":

"In the summer of 1870 the kingdom of Prussia and her German allies totally destroyed the military power of imperial France. For nearly 80 years the defeated nation had given the law in military matters to Europe, whereas the victor, 10 years earlier, had been the least of the Continent's major military powers. Within a month Prussia established a military preeminence and a political hegemony which made the unification of Germany under her leadership a matter of course, and which only an alliance embracing nearly every major power in the world was to wrest from her half a century later.

"The collapse at Sedan, like that of the Prussians at Jena, 64 years earlier, was the result not simply of faulty command but of a military system; and the military system of a nation is not an independent section of the social system but an aspect of it in its totality. The French had good reason to look on their disasters as a judgment. The social and economic developments of the past 50 years had brought about a military as well as an industrial revolution. The Prussians had kept abreast of it and France had not. Therein lay the basic cause of her defeat."

The consequences of error in today's world of nuclear warfare are far more ominous than they were in 1870. The destiny of our country and of all free people is now at stake. Today it is too dangerous to harbor illusions. An illusion may be defined as a belief that has lost contact with reality. Illusions are a form of excess baggage which prevent a man or a nation from facing squarely up to issues and solving problems properly. How we fare will be determined in large measure by the relative capabilities of enlightened leadership in all areas, including the military. By enlightened leadership I mean leadership that sets new standards for itself as dictated by the dynamic developments of the times; leadership that is not bound by tradition; that is not based on frozen concepts which may have been important yesterday, but are no longer very important today.

For example, during the 18th and 19th centuries armies marched shoulder to shoulder, three, four, or six ranks deep, and then slowly and mechanically fired volley after volley at each other at dueling distance until one side was demolished or broke, leaving the ground literally carpeted with countless dead. Our own Civil War had similar hand-to-hand combats where both sides stood their ground and many thousands died. That type of warfare, employing, as it did, simple tactics with simple

weapons, demanded emphasis on sheer physical bravery. Leadership excelling in bravery could bring success in battles of this sort. Such leadership is no longer sufficient to meet the military challenges that face us today when you may never even see the enemy—he may be hundreds, even thousands of miles distant.

What then are the main characteristics of military leadership in today's world of guided and ballistic missiles, supersonic aircraft, high-power sonar and radar, deep-diving nuclear submarines and other complex weapons? In such a world military power depends upon technology, and technology depends on educated brainpower. Therefore, today the keystone of military leadership clearly is an educated mind. Indeed, the motto of the Naval Academy itself is truly prophetic. For it says: "From Knowledge, Sea Power."

The educated man has knowledge that makes the world around him intelligible; his mind has been sharpened so that he can use it effectively; he is receptive to ideas; he thinks about them; he imparts something of himself to them, and comes forth with something new. Because he has broad general knowledge, the educated man is able to see things in perspective, as well as in relation to other things.

The uneducated man, who knows little about the forces which shape the world around him, lacks this ability to see things in true perspective and in their relation to other things. He is like a mirror; he does not absorb ideas; he merely reflects them. Each thing stands alone for him.

He lacks the ability of the educated man to join different ideas and bring some sort of order into them. Ability to withdraw into himself and think things out independently is perhaps the educated man's most important attribute. This ability to withdraw into oneself and think things out is the most significant characteristic distinguishing man from animals. This characteristic is developed through education. The uneducated have it to a much less degree than the educated. It has been said that some people are a bit like a seal who sleeps for a minute and a half, wakes up, takes a quick look at his surroundings and goes back to sleep again. He either sleeps or he looks—he doesn't think about what he sees. He just reacts.

A good liberal education endows a man with the faculty of entering with comparative ease into any subject and of taking up with aptitude any science and profession. It enables him to draw his own conclusions from what he observes around him. It equips him with sufficient general knowledge to understand the world. It develops in him the ability to make rational decisions in difficult circumstances and to meet totally new and unexpected contingencies. Education has familiarized him with the ways in which other people at other times have solved problems similar to the ones he must deal with. Thus he is supported by the vast fund of wisdom collected in the past and throughout the whole world. This sort of education takes much time and effort. It isn't finished when formal schooling ends but goes on all through life.

Certainly these characteristics, acquired through education, are necessary qualities in a modern military leader. Not enough officers in the Navy, I feel, recognize the need for this type of education.

Many studies have sought to find a definition of "leader." To most people the answer is simple: a leader is an active, forceful, outgoing person, the kind others look up to; the type that gets elected class president or football captain—the "big man on campus."

But there is another point of view that holds that the true leader makes no effort to impress his personality on others; he has no obvious "following." But because of

him—because of the quiet influence of his ideas or his example—other people change their thinking and act in new ways.

About all that can be said for sure about a leader is that his actions influence others. Qualities which contribute to this ability to exert such influence are: above-average intelligence; originality and constructive imagination; practical knowledge relative to the situation; speed and accuracy in thought and decision; intensity of application and industry.

One of England's great educators, Lord James, says more lucidly than I have seen anywhere else that no society needs the quality of leadership as much as a free democracy. Again and again he stresses that the single most important ability required of a leader in today's complex life is trained intelligence of a high caliber.

Yet James notes that this quality of high intelligence is "more commonly underrated than any other aspect of leadership." The popular conception of a naval leader emphasizes the more obvious and spectacular qualities of character—as bravery, stamina, dominance, and so forth; these may mask and even ridicule intelligence. Yet high intelligence in naval leadership does not militate against these other qualities of character. Rather, implicit in high intelligence are all of these character qualities, but placed in proper perspective as dictated by the needs of the time. In essence, the intellectual element is always basic to a society. The other leadership qualities are essential, integral, indispensable, but they are not enough. When you have only the more obvious leadership to guide your action, you may lose early in the fight. The very nature of man requires that in the last analysis he be moved to action by ideas, not by codes.

Convinced as I am of the importance of intelligence and education to military leadership, I have in the past proposed certain changes at the Naval Academy. I have for instance recommended decreased emphasis in nonacademic areas like organized athletics and extracurricular activities. These too often tend to become ends in themselves and thereby detract from academic effort, which should receive foremost attention. The resort invariably is the old chestnut attributed to the Duke of Wellington: "The Battle of Waterloo was won on the playing fields of Eton." This implies that the qualities required for success in warfare are acquired on the playing field rather than in the classroom. If it ever was true of any wars, it is certainly not true of modern wars. There is no clear evidence that the duke ever made this statement. The headmaster at Eton incidentally believes the duke said something to the effect that he had learned the spirit of adventure by jumping over a ditch. The duke, you may be interested in knowing, liked to toboggan around the corridors on a tea tray drawn by a team of young women.

Athletics are of course essential to the physical fitness of young men. But not overorganized athletics. They become a drain on time and energy which should be devoted to the more important aspects of education. The time one has during his life for uninterrupted devotion to intellectual development is too brief even under the best of circumstances. Long ago a Greek physician sighed "The life so short, the art so long to learn." I commend this sentiment to all of you. It is unwise to devote too much of your time to nonessentials, athletic department, and alumni pressures notwithstanding.

It is not really the function of the Naval Academy to engage in large-scale competitive spectacles for the benefit of the public. Of course, it will be said that this sort of competition develops leadership. But for many years the Naval Academy did not in fact engage in such activities. Was its lead-

ership, then, deficient in the years prior to the advent of organized intercollegiate contests? I doubt this. The American economic and industrial system is also based on competition, yet the better colleges from which business recruits its leaders are now deemphasizing organized athletics. Knowledge now doubles every 10 years, hence the demands on the intellectual qualities of leaders are therefore growing apace. Can we then afford to devote precious time—time that can never be regained—to anything that is not essential?

You know that much of college athletics today is big business. Professional coaches are hired at considerable expense to win some sort of status for the college where they happen to be working that year. But do the methods used by most coaches really develop leadership in the student player? The coaches call the "shots"; they manipulate the players in accordance with schemes developed by professional staffs. If it is initiative, team spirit, and the like which is intended to be stressed, then it would seem logical to let the students call their own "shots." In this manner, individualism, originality of thought, pride in accomplishment would be inculcated in the player and not remain with the coldly calculating professional athletic organization.

Take the case of intramural sports. It so happens they were started here when I was a midshipman. The idea was good. It was to get as many midshipmen as possible to learn to play various games—to extend such an opportunity to more than varsity squads. The organization and schedules were left up to the midshipmen themselves. While important to the individuals involved, the outcome did not count for the company competition. Today, however, it seems that intramural sports are in danger of becoming overorganized, like varsity athletics. The important role they now have in intercompany competition may induce midshipmen to give them too much emphasis. Is the excess emphasis worth it? Does it really contribute to developing good officers?

Another problem in developing qualities of military leadership has to do with instilling a proper understanding of the relationship between authority and independent thought. This always has been a problem but it is particularly acute today.

To illustrate the danger of unquestioned acceptance of a rule by authority take the case of the formula used by the British Admiralty in the last war to determine the number of escort vessels for a convoy. A longstanding rule required 3 escort vessels plus 1 additional escort for each 10 ships in the convoy. Thus a convoy of 20 ships would have 5 escorts and a convoy of 60 ships, 9 escorts. The theory behind this rule, whose origin had been lost in the mists of time, was that this number of escort vessels would make convoys of different size equally safe; that is, the same average percentage losses could be expected.

Because it presumably had its origin in "higher authority," the formula was never questioned until a group of civilians attached to the Admiralty decided to examine the actual records of ships lost in convoys of different sizes. To their amazement they found the rule to be not valid—that in the previous 2 years large convoys had suffered much fewer losses in relation to their size than small convoys. They also found that the number of ships sunk depended on the number of convoying vessels, not on the number of ships in the convoy. As a result the size of convoys was increased from a maximum of 60 ships to as high as 187, and fewer escort vessels were required. Had the policy of large convoys been adopted in 1942 instead of 1943, the merchant ship tonnage lost during this period might have been reduced by at least 20 percent. This is a good example showing that you should not take

things for granted. Any formula followed unthinkingly may lead to disaster.

Take the traditional concept of morale. I often ask young officers which destroyer they would prefer to take to sea in war: the dirtiest one in the force, the one that had low morale, yet stood first in gunnery; or the smartest one, with high morale, but which stood last in gunnery. The answer almost invariably was the smart ship with the high morale. Now I admit this is a loaded question, because it is unlikely the dirty ship would have stood highest in gunnery. Yet in terms of my question, wasn't it the better ship? Isn't the real purpose of a naval ship to hit the enemy? Is morale an end in itself, or is it only a means to an end? Should we judge the value of a ship by its morale, or by its ability to sink an enemy?

Several years ago one of our large insurance companies decided to find out whether its highly organized employee morale program which included picnics, games, and so on was worth the cost and effort. They found that the employees who liked picnics and games at company expense went to them and were quite happy—but they didn't do any better work. The point I am trying to make is that we must question critically, we must never unthinkingly accept traditional rules and routines. Perhaps some efforts to build morale are overdone. Often they take the form of engaging ceaselessly in activities, so that little or no time is left for contemplation. Many of us would like to be just plain let alone; we may be quite capable of deciding all by ourselves what to do with our own time.

You should cultivate the habit of questioning the validity of all formulas and established traditions. There is some value even in the stalest truisms we memorize and recite; and since they are a convenient substitute for painful thinking, uneducated minds accept them as dogma and close themselves to new ideas that are necessary to keep in step with the times.

The military are not alone in becoming prisoners of outworn ideas. This is a characteristic of all elements of society. It happens in science, too. Take the discovery of oxygen. Priestly the Englishman and Lavoisier the Frenchman were working on this problem at the same time. Priestly could not conceive there could possibly be any other gas but air. He saw the gas he was experimenting with as dephlogisticated air. But Lavoisier had long been convinced that something was wrong with the phlogistic theory. So he could see in Priestly's experiments a gas that Priestly himself had been unable to see. To the end of his life, some 30 years after the new gas had been discovered and used, Priestly was still unable to see it. Or take Einstein's theory. There were some who did not accept it until it was dramatically proved at Hiroshima.

Max Planck, whose quantum theory is a cornerstone of modern physics, sadly remarked that "a new * * * truth does not triumph by convincing its opponents and making them see the light, but rather because its opponents eventually die, and a new generation grows up that is familiar with it." So great is the power of self-deception, so difficult is it to leave the warm womb of effortless routine, that hardly anyone who listens to a statement like Planck's conceives that it could possibly apply to himself, though he can instantly visualize many others to whom it does apply.

I keep pointing out that education is fundamental to the development of leadership. I keep giving examples of practices which detract from this development. I have made recommendations for the improvement of education at the Academy. But I do not intend to discuss these today. Rather I will show you weaknesses that you yourselves can do something about. I believe I can best

do this by telling you about my observations of a large number of midshipmen and naval officers.

Over the past 14 years, I have interviewed more than 3,300 naval officers and prospective naval officers. I have done this in order to be able to recommend those whom I considered had the requisite qualifications for duty involving operation of nuclear powered ships. Over 1,000 of these have been midshipmen fresh from the Naval Academy and from civilian colleges. These interviews confirm my conviction that the Naval Academy midshipmen are not acquiring as good an education as do the midshipmen from civilian colleges. This conviction is supported by my observations of the remaining 2,300 officers who had varying amounts of experience in the Navy; most of these officers reflect the same shortcoming in education I saw in the young midshipmen.

Whenever one attempts to compare graduates of the Naval Academy with those from civilian colleges he is told that the need to develop leadership at the Academy gives it a unique mission requiring special time-consuming efforts. It is said that the Academy is a military institution preparing men dedicated to a loyal career in the service and, hence, cannot be like other colleges. It is also said that midshipmen are assigned military and administrative duties so that they may learn, by doing, to be followers and leaders; that regimentation is essential to the development of a fighting man and therefore, a necessary part of the experience of a midshipman.

These statements are not in accord with evidence at hand. Take Marine Corps officers. Would any one say they are not as loyal, or do not have as high a sense of duty as the officers in any of our other services? But the majority come from civilian colleges, receiving 6 months' training when they are commissioned. Are they inferior officers because they have not experienced a Naval Academy type of life for 4 years?

Or take NROTC graduates. The Navy itself has testified to Congress that after 2 or 3 years there is no distinction; that the captain rarely knows whether his officer is Naval Academy or college NROTC. Evidently some of the time-consuming efforts devoted by midshipmen to nonacademic activities may not be necessary to the development of an effective officer.

The central deficiency in the education of Naval Academy midshipmen is that they do not learn principles, and therefore do not learn to reason from principles. The extent of this deficiency is perhaps best understood by those who have themselves been educated at the Academy and then at a civilian college of the first rank. The contrast is markedly in favor of the civilian college. That this weakness in Academy education exists is real enough. Where the difficulty lies in conveying a comprehension of this weakness to those who need to know about it.

Suppose we consider a course in thermodynamics. The course description in the Naval Academy catalog compares favorably with that for a similar course in other colleges. We find the standard topics: the first law of thermodynamics, the second law, and so forth. But the evidence available to me is that midshipmen simply do not acquire a real understanding of the principles. It appears that they memorize the formulas, they learn how to do the standard problems, and they contrive to pass the course with more or less credit. But never having comprehended the fundamental principles involved, they take away precious little of enduring value. The appearance of education is there, but not the reality.

Midshipmen, of course, are seldom aware of this. When asked whether they are getting the education they need, the answer is generally in the affirmative. The reason, of course, is that most of them have no way

of comparing their own education with education at one of our better colleges. Similarly, if you asked a Chinese colle whether he liked rice he'd probably say "yes." How could he answer otherwise; he doesn't know how well he likes rice until you give him a beefsteak.

Deficiencies in Naval Academy education show up clearly in our nuclear power schools. We find that the NROTC graduates, on the average, do better than Naval Academy graduates, the principal reason being that they have, as a group, a better educational foundation than have officers from the Academy. For example, in one nuclear power school group the top 11 students are all non-Academy graduates. These 11, again as a group, were B-minus students at college, yet they stand higher than 10 Academy graduates, 4 of whom stood in the top 100 of their class. These are unpleasant facts. But it is better that you know them now than that you keep on deluding yourselves about your educational development.

Let me read from a letter I received commenting on a young Naval Academy graduate enrolled at one of our nuclear power schools.

"This young officer was most enthusiastic about the rigorous nuclear power school curriculum. For the first time in his life he was enjoying a new-found revelation of his capabilities * * * he mentioned one mathematics exam (at the Naval Academy) that he outguessed to make an almost perfect mark—3.98. During a typical study period at night he would read a few pages of an assignment and then shine shoes, wash cap covers, or play cards. This officer is now studying approximately 6 hours each night and a major part of each weekend. He has discovered how much he can learn and understand by applying himself and this I think is the lasting value of the nuclear power school course. He will retain more or less of the detailed knowledge depending on his interests and continued application of the material; he will retain the principles and methods of approach a longer time. But most important, and fortunately for him, this young man has learned early in life what his academic capabilities are; this knowledge he will never lose."

This young man finally discovered how important education was to his professional development as a naval officer. This is not understood by most midshipmen. I am often told that in the past they had not applied themselves to academics because they had only recently considered duty in the nuclear power program—that they would be ready to start studying if accepted for this program. My message is addressed to all of you, not just to those who may desire duty in nuclear powered ships. An intellectual approach cannot be decided upon overnight; it cannot be turned on and off like a faucet. It must grow out of continued and determined effort from the very beginning. Prolonged inattention to study and failure to develop oneself intellectually is a difficult habit to overcome; very few overcome it.

Many Academy graduates also believe that the academic phase of their education ends with graduation and that thereafter they merely apply in a routine manner what they learned at the Academy of the trade of naval officer. I seldom find an officer who devotes a significant amount of free time to continuing his general and professional studies. Perhaps there is too little reward or encouragement offered for this type of self-development. Most officers devote their energy to routine and perfunctory tasks associated with their jobs. Few maintain intellectual interests in science, engineering, history, languages, or similar academics. Without them, officers are really no more than technicians. They are stagnating intellectually. The fact that they are judged by their practical skills tends to mask this intellectual stagnation. This only reveals itself when

real leadership and keen insight are needed to guide their decisions in dealing with the unforeseen problems that our rapidly changing times throw at them.

What impresses me in my interviews is the greater maturity of the NROTC students compared to Academy students. I attribute this to the fact that the generally superior academic education and the open life at civilian colleges tend to foster maturity. Or perhaps some practices at the Academy, such as hazing, tend to foster continuance of an adolescent attitude through and beyond the age when one should reach maturity. I am reminded of what the author and journalist Alan Pryce-Jones said recently about Oxford: "We were treated as grownups at the age of 17. And there were superb libraries and memorable tutors in an ambience of learning."

Is it too much to expect that a youth of 17 be treated as an adult? In Biblical times a young man attained manhood at the age of 13. In medieval times when the child reached the age of about 7, he belonged to adult society. This may have been due to the fact that because of the very high child mortality little emotional investment was made in young children. The child was dressed like the grownup. When you look at medieval paintings you can see the similarity in clothes. For many centuries there was no dividing line between the games and pastimes of older children and adults. Girls often married at 13 and boys at 14. For a long time the child, the adolescent and the adult all sat at the feet of the same master and studied the same lessons.

Children were accorded adult treatment even in later times. Our own naval hero, Farragut, was made master of a prize at 10. Yet at the age of 22 I still had to get my company officer's signed approval to buy a pair of socks at the midshipmen's store.

Relative immaturity of midshipmen is often explained away by arguing that Anglo-Saxon youth ripen slowly in comparison with other people.

Do not delude yourself on this point. Comprehensive studies show that it has no basis in fact. Therefore, the lack of maturity to which I referred is your own personal responsibility, not that of your ancestors.

I mentioned hazing as possibly contributing to immaturity. You may be interested in the origin of the type of hazing in vogue here. It began in England in the early 19th century when the growing industrial and business class sought better education for their sons. As there was then no public education in England, the few private schools became crowded. There were simply not enough teachers to do the teaching and maintain order too. Because of this, and to save money, the maintenance of order was turned over to the older students who accomplished this by hazing. This is the origin of modern hazing which continues to this day, in symbolic form at our civilian colleges, in actual practice at the service academies.

The harm done by hazing is not its physical aspect. I am sure this is quite minor and hurts no one. The harm is done in a more subtle way and to both parties. The newly arrived midshipman is made to feel, not as an equal who has joined a goodly company whose older members assume the responsibility for his welfare, but as an inferior who must do things because they are ordered, whether there is any reason or not. The upperclassman acquires a false concept of the proper way to exercise authority.

Yet hazing is not something the authorities require or officially condone. For 40 years I have been hoping that some day there would be a Naval Academy class that upon becoming third classmen at the age of 18, would be mature enough to depart from boyish practices and adopt an adult manly attitude toward their juniors. As the Apostle Paul

said in his first letter to the Corinthians: "When I was a child, I spake as a child, I understood as a child, I thought as a child, but when I became a man I put away childish things."

A misconception I find prevalent among midshipmen and younger officers is the feeling that during their years at the Academy and as young officers they are so far down the ladder that nothing they do can have real importance. This is exactly the opposite of the truth. Generally, the first 10 to 15 years of a man's career are the truly creative ones. Therefore, you cannot ever postpone doing the very best you know how. On the contrary, you must use your years at the Academy and as a young officer to work and study your very hardest. It is in these years that the foundations of your career are laid. Otherwise, you will find to your sorrow later in life that you have lost an opportunity which cannot be recovered.

Too often, midshipmen place the blame for their educational deficiencies on others. I am frequently told that the atmosphere in a particular company at the Academy is not conducive to study; or that no one teaches them about practical engineering on summer cruises. Yet, when confronted with the obvious question as to what initiative they themselves took to improve their lot in the face of these situations, the answer invariably is "None." This lack of initiative is a personal weakness characteristic of individuals who are content to follow passively and to bemoan that they are victims of their surroundings. The circumstances in which you find yourselves may be beyond your power. But your conduct in these circumstances is within your own power to control.

Blaming others for deficient conditions is of course not unique to midshipmen. It applies equally to many officers I interview before they enter the nuclear program. Many of these officers do not understand the true meaning of the word "responsibility." When questioned, they readily admit that the combat efficiency of their ship needs to be improved. Yet when asked what they are doing to improve matters, it seldom occurs to them that they have a personal responsibility. The fault, as they have analyzed it, lies in the inexperienced men assigned to them, in old or poor equipment, in not being motivated by their seniors, etc., but never in themselves. Yet these same officers usually have little knowledge of the fundamental or detailed technical aspects of the equipment for which they are responsible. They rarely study technical manuals or instruction books to overcome this ignorance. These weaknesses in the educational development of our naval officers can and should be corrected. The Navy cannot otherwise contribute its proper share to the military stature of our country. The question for each of you is: What can I do personally? No one can answer it for you. If you have listened to what I have said, it should be clear that each of you must find his own answer. "You yourself must set flame to the faggots which you have brought"—a statement, incidentally, by a playwright who was a naval officer. But I can perhaps help by posing some pertinent questions. I suggest you ponder these and like questions which will occur to you and decide your own positive courses of action:

Is broad and continuing intellectual development my foremost objective here at the Naval Academy? Or am I content merely to get by?

Am I striving to acquire a real understanding of the fundamentals of science, engineering, and humanities? Or am I resorting to techniques whose purpose it is to get the best possible grade for the least effort?

Do I choose electives which are difficult and intellectually stimulating? Or do I choose easy ones which may improve my

class standing, yet contribute little to further my educational development?

Am I taking advantage of every available opportunity to broaden my knowledge? Or am I devoting time to meaningless activities which have little relevance to my development as a human being and as a professional naval officer?

Am I developing the habit of independent thought and inquiry which requires me to question doctrinaire and traditional approaches to problems? Or do I blindly accept everything that is cloaked with the mantle of authority?

In attempting to answer these self-imposed questions you may discover that you are discontented with what you have accomplished. You may find that a strong effort on your part is needed to wrench your mind from intellectual stagnation. While positive corrective action in your environment may be difficult to acquire, remember it is your responsibility to do what you can to overcome such difficulties. Ignorance is a voluntary misfortune.

In conclusion I will quote a perceptive passage at the end of Darwin's "Origin of Species":

"Although I am fully convinced of the truth of the views given in this volume. . . . I by no means expect to convince experienced naturalists whose minds are stocked with a multitude of facts all viewed, during a long course of years, from a point of view directly opposite to mine. . . . But I look with confidence to the future—to young and rising naturalists who will be able to view both sides of the question with impartiality."

My hope is a similar one. While I do not expect that my views will gain wide acceptance in the Navy today, I am hopeful that you of the younger generation will eventually learn to understand them and perhaps benefit from them. If what I have said disturbs you, bear in mind I did not come here to please you but to make you think.

Speakers often tell you that the future lies in your hands. By these words they do not mean that you are superior in capacity or in intelligence. Many of you appear to believe this as you graciously accept this platitudinous homage. Not at all. What they are attempting to convey to you is the hope that perhaps as many as a handful in the audience will be inspired to ponder their purpose in life and set themselves difficult goals.

The Spanish philosopher Ortega y Gasset once wrote a book around the thesis—to quote him—that "there is no doubt the most radical division it is possible to make of humanity is that which splits it into two classes of creatures: those who make great demands on themselves, piling up difficulties and duties; and those who demand nothing special of themselves, but for whom to live is to be every moment what they already are." I read this as a young man and it impressed me deeply. And all my life I have unconsciously judged people and institutions by whether or not they set themselves a standard; whether they measure themselves against a criterion that requires effort because they deem it worthy of effort.

The Navy can offer unlimited opportunity to anyone who is willing to study and work hard—to anyone who is willing to exercise his brain and who is not afraid to question outworn shibboleths. The Navy is also a place where an officer can, for a while, coast; where he can get by with a minimum of effort and with perfunctory work.

Take your choice. When the time comes for you to contemplate your life and you ask yourself "What have I accomplished?", will you have something to show; will you have had an impact on your environment, or will you have become nothing but a statistic.

ADDRESS OF SENATOR BARRY GOLDWATER BEFORE THE REPUBLICAN NATIONAL COMMITTEE

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERRY. Mr. Speaker, I wish to place in the RECORD the entire text of the speech which Senator Barry Goldwater delivered before the Republican National Committee in Chicago January 22 to which I made reference in my statement on the House floor yesterday.

The Senator's statement should clarify any doubts that remain as to exactly what he said, and how his remarks were deliberately misquoted by the leftwing press.

ADDRESS BY THE HONORABLE BARRY GOLDWATER, BEFORE THE REPUBLICAN NATIONAL COMMITTEE, FRIDAY, JANUARY 22, 1965, CHICAGO, ILL.

I, too, want to take a few moments at the outset to make a few remarks to express my heartfelt thanks and gratitude to Dick Nixon who worked harder than any one person for the ticket this year. Dick, I will never forget it. I know that you did it in the interest of the Republican Party and the interest of our country and not for selfish reasons. But if there ever comes a time I can turn those into selfish reasons, I am going to do all I can to see that it comes about.

I want to thank Dean Burch for the outstanding job that he did. I have worked with him and with many national chairmen and I don't say this because he is a young man from my own State. I say it because I have learned to recognize what makes a good national chairman and Dean accomplished an almost impossible task under very trying conditions and Dean, I wish you well in the years ahead.

I want to thank, too, my running mate, Bill Miller, who you all know worked tirelessly in this campaign. He and his charming wife and his family went every place in this country they were asked to go and they did an outstanding job and I hope I am successful in talking Bill Miller to moving his law practice to Arizona. It's a better climate out there. I might say, politically and meteorologically.

I want to thank my old friend Ray Bliss who finally—and this is the third time I went to him on bended knee—finally he said "yes." The first time I asked Ray Bliss to be national chairman, 6 years ago, and I thought we had him. We answered his three if's and then we found he came up with a fourth one. We couldn't quite crack it. Ray, I pledge my continued support in any way you feel you can use me and I wish you the best of success in this job you have taken on.

Of course, this always happens after a campaign. People begin to write books about the campaign and I have had a real interesting and amusing time reading them. In fact, what they boil down to, mostly, is that I wasn't dishonest enough in this last campaign to win. It's a little distracting to find writers feeling that in order to win an election one must be dishonest or at least a little dishonest. In fact, it's gotten so bad I may write a book myself about this campaign just to get the truth across. If I

were going to do that, I would include in it something like this:

No. 1: As Republicans, let's quit blaming everyone for the defeat that I suffered. This defeat was not the fault of Dean Burch. It wasn't the fault of my lifelong friend and manager, Denny Kitchel. It wasn't the fault of this State, this section or that section of our country. It wasn't the fault of this person or that person. In my mind elections are won when five things can be counted on your side: Circumstances, organization, money, work, a candidate. Now, let's look at those:

Under circumstances the circumstances were not right for 1964.

Organization: I think that we had the finest working organization that I have ever seen in the Republican Party out across the States. It was excellent. I hope we can retain these millions of dedicated workers who worked for the first time in politics. I think we can and I think this is a challenge to each and every one of you State chairmen and county chairmen who might be here.

Money: OK in the long run but it didn't come in early enough so we could really plan to use it in the most effective way, and again I want to thank the finance committee and all those of you who contributed so much in time and labor to the successful drive that was put on.

Work: I don't think I have even seen in my life in the Republican Party any greater or more dedicated work than I saw across the length and breadth of this land. Not completely, but I'll say by and large, the best work that I've ever witnessed.

Now, we get down to the last thing and that's the candidate and I guess I have come to the unhappy conclusion that you had the wrong one. Now, let's look at the reasoning on this because I would like to close this book once and for all and let us get on with the job of electing people in 1966 and putting this party together. I would like the people who write about the campaigns to understand these things.

I picked Dean Burch and I might say to you national committeemen and committeewomen I hope the day comes, that you don't feel it incumbent upon yourselves to ask the national candidate who he wants for national chairman. I hope you, yourselves will make up your mind about this person and not change him every 3 or 4 years. But I want to talk about that a little later on.

I picked my team. I picked my writers. In fact, Dean has been blamed for some decisions that I made. I decided and asked Dean to put it out—that my campaign, or our campaign, would be run through the State organizations and I would still make that recommendation today. But I made it through Dean Burch and it was my decision. It was my decision not to go into several States—a decision had I to make it again, I probably wouldn't have made it in the same way. But this wasn't Mr. Burch's fault. It was my fault.

Mistakes were made in this campaign and I hope some day to record all of them so we don't do them again and I might say here I want to thank all of you who have so carefully answered my inquiries about what, in your opinion, was wrong with the campaign. The response has been overwhelming and out of this response will come some kind of a paper for the national committee. Mistakes were made, and they were my fault. It wasn't the fault of any other individual because I was charged with the decision. If TV was no good, that's my fault. It's not the fault of the camera. We had the best directors you could get. In the long run we had money, but if the TV programs were bad you can blame me.

If the speeches were no good, that's my fault. I didn't have to make them but I

liked them and I thought they put my point across, but I could be wrong and I guess I was. In fact, I don't say this in a way to duck any responsibility; but I just couldn't overcome the false liabilities that were hung around my neck on July 15.

For instance, some 78 percent of the people wouldn't agree with me on nuclear permission for NATO commanders. I never made that suggestion to begin with—never at any time.

Sixty-four percent of the people thought I would start a war with Cuba. I wouldn't but neither would I duck one if it came in the cause of freedom.

Sixty-one percent disagreed with me on Supreme Court powers. I don't recall I ever once made any suggestion about cutting the Supreme Court powers. I made some suggestions as to the improving the quality of it, but not cutting it.

And then we have the two worst ones: the fact that I oppose social security, which couldn't be borne out by my voting record, and dropping a bomb in Asia. I'm glad they got down to Asia because during the campaign it was anyplace. These were falsehoods but I was tagged with them. I couldn't for the life of me, as often and as hard as I tried, unload the Republican ticket from those false accusations. So, I accept the full responsibility for this and I just want to have people stop blaming the wrong people.

I am reminded of the importance of doing this by the Battle in the Valley of the Little Big Horn when Custer had such a bad time, pretty much like I had, but I got out of it with my hair. I didn't want to wait for history to have to write these conclusions. I make them today. I accept the full responsibility for it. I am sorry I couldn't produce better results. I am sorry so many good men, including Chuck Percy here, went down with me, but we are going to start coming up and we are going to come up a lot further than when we went down.

Now, if you permit me a few other observations, observations that you must keep in mind because for the first time in my memory we were not fighting the Democratic Party. In fact, I don't think the Democratic Party exists today, organizationwise. I doubt that they have a national committee. I haven't heard of it in years.

Last fall we were fighting the Federal Government.

Now, remember that. We were not fighting any limited funds of the Democratic Party. We were not fighting the limited funds of the labor movement. We were fighting the Federal Government. The question of equal time on TV which the President ducked—he refused to debate. He refused even to answer questions and when he did use TV for a purely political reason to explain his reasons in firing over in southeast Asia, we were refused equal time. Why? Because the FCC was told not to give us that time and we even went to court about it and the courts wouldn't change it.

The Cabinet for the first time in my memory, every member of the Cabinet, every submember of the Cabinet, was out across the length and breadth of this land campaigning for the opposition ticket. Bureau pamphlets which had never been used in such a direct way went out in political form. Not just the actual facts, but in many cases distortions. The Federal threat of power which you are going to feel more and more of in your business and in your very home and social life. The threat that if you do not go along with L.B.J., something might happen to you.

We ran into this all over the United States—the use of the Internal Revenue Service, the use of the threat of the loss of a license or the denial of a license if the vote was not coming or the support wasn't

coming. Federal propaganda spread both domestically and throughout foreign lands. These are the things we are now confronted with. We are not confronted, ladies and gentlemen, with fighting merely another party. We are fighting the full muscle and power of the Federal Government.

I might say that that's history, but we learn a lot from this history. In fact, we conservatives believe in history. We believe in making our progress upon the proven values of the past and if that is true we have learned from the history of our party that we have to stop playing musical chairs with the chairmanship.

I don't know whether you realize it or not but Ray Bliss is the 19th chairman we have had in 28 years. I believe the eighth or ninth chairman in the last 11 years. You businessmen know that you cannot run a business if you change your manager every year and a half. It doesn't work out. I would like to see this job a continuous one. I don't think we should worry about what the presidential nominee wants in this particular case. If you have a good chairman, keep him and not just for 4 years but keep him as long as you can.

Our opponents never stop organizing. They never stop to have fights like we have. They may scrap among themselves. They may say he is an * * *, but he is a Democrat. They'll vote for him. They will work for him. We have to stop moving this national chairman around. I don't care if it is Thruston Morton, Bill Miller, Dean Burch, or whoever it is. We have to have continuity in this job.

We have to, either through the national committee or some outside organization—and I would think it best to be an outside organization—have national television available to our cause at least once a month and preferably twice a month. I am happy to tell you that I know of such an organization that is being formed, not to put just this Republican or that Republican on, but to put people on who can explain the Republican approach to the answers of the problems that we have today, to answer the asinine charges made from time to time by the President and by his controlled Congress.

I must reiterate what's been said earlier. We have to establish better relationship with the press. Now I know these fellows. They are good decent Americans. The trouble is that we haven't taken the trouble to teach them what we are talking about. I have had many of these men, some of them oldtimers, some of them heads of their bureaus, tell me they came to work under Franklin Roosevelt. They worked under a so-called liberal philosophy all their writing lives. They don't understand conservatism and they have been asking for an explanation. They are not out to get us. I think we can get quite a few of them to understand we are just normal human beings. We aren't devils with horns and tails who hate the press. We would just as soon be seen with them as seen with anybody else. I don't despair of creating a better working relationship between the press and the Republican Party.

I think we have to beef up our public relations. We have to beef up our research which I found we were woefully short on and we have to get our money early. We cannot wait until after the next convention in 1968 or the nominating days in 1966 to put our team together. This is one of our great mistakes. This is historically one of our great mistakes in that we have had no continuity in the national chairmanship. So the fellow is a little scared about losing his job. He drops off doing work in this field or that field for fear of offending someone. We don't encourage him to go ahead and do the thorough job that should be done.

We don't have the money early. Our national chairmen have spent more time raising money and collecting money than organizing and that's to be understood because we have been in debt quite a bit. I think we have to have a little better merchandising—in fact, a lot of merchandising and I use that term because my background is as a merchant. Many times I would look at a piece of merchandise, a fine piece of merchandise, but not selling and ask myself, "What the devil is wrong with it. It is a perfect item. Why can't it sell?" It usually was to be found in its presentation or its wrapping.

Now the Harris poll, whether you agree with it or not, showed just before the election, 94 percent of the American people agreed with me about tightening security in the Federal Government; 88 percent felt prayer should be restored in schools; 61 percent believed Goldwater wants to curb extremist groups; 60 percent believe welfare and relief make people lazy; 60 percent agree with me on trimming Federal power; 50 percent believed I would do a better job dealing with corruption.

You couldn't ask for a better setup, but, by golly, when it came to voting, they didn't buy this package even if they liked it. We have to think of some way to wrap it up and have some better packaging so we can get the American people to realize the Republican Party is the responsible party, the party of progress. This is historically true. It is a party that has gained more respect for the United States of America than the Democratic Party has lost, even though they are trying their best. I would make another suggestion, and I know that this flies in the face of some others that have been made, that the national committee not try to make of itself a policymaking body.

You have to remember, whether you like it or not, that policy is and has to be made by the elected Republicans and the Congress of the United States. Ladies and gentlemen, they have to run on their record. They can't run on the record of the national committee. They have to run on what they are able to get done in Congress and a lot will depend, I think, in the coming years on what they are able to hold back from L.B.J. as he asks for the moon. So, don't try to graduate this group into a policymaking body. I think the council that's been set up by Mr. Ford and Mr. DRAXSEN is adequate to cover this. It gives you representation. It gives the Governors representation. It gives the ex-candidates representation. In fact, to me, this expanded group can do a lot more than any of us can by meddling in the prerogatives of the Congress.

Now, in closing, we are a minority party, and we are greatly in the minority. We have about 30 million Republicans in this country, and the Democrats 52 to 55 million. As you will see later this afternoon, our sales curve has gone down constantly since 1932, and we have to get back to work on that. However, as a minority party, I believe we have a very, very serious charge, an obligation, and that is for objective opposition, not just opposition for the sake of opposing, but thoughtful opposition, opposition accompanied with suggestions of a Republican nature as to how we would approach the problem.

Now, I noticed throughout the speech of the President the other day, or I detected the setting up of some language that will make it possible for anybody to be stamped "hatemonger" or a "divider" if he ever criticizes the L.B.J. administration. I want to remind him that honest criticism does not mean divide. Honest criticism is actually a halter in both senses of the word—a halter on the donkey's snout and to slow him down, and a halter in that we can stop by honest criticism some of the things that are not

good for this country, and it produces results.

If you doubt that, look at the President's extreme efforts now to appear conservative; turning out the lights in the White House and even telling us about \$3½ billion that were saved last year, which is not true. Now conservatives are not dishonest, so that's one case wherein he does not compare honestly with us. Also look at his effort to cut spending, and finally his efforts—not his efforts but his action in South Vietnam—as he works to do what Dick Nixon and I have suggested for 3 long years—cut off the supplies coming into Vietnam. If he just listens to us long enough, I think we will make a good President out of him.

Now, my criticism is not born of hatred nor is it born of a desire to disunite our country. It is born of a concern for my country, yes, a deep love for my country. I am concerned today, for example, about the very dangerous situation of our gold and our dollar. I don't agree our dollar is sound. I don't agree the outflow of gold is stopped. I am frightened by what France has threatened to do. If France does it you can rest assured others will do it.

What would we do as Republicans? What we always have done—balance that budget. Put some financial responsibility into our Government. See to it that foreign countries finally realize that the American people understand the value of balanced budgets to strengthen their dollar. If we can keep the criticism on, keep the heat on, I am certain he is going to have to take recognition of this because the American people are beginning to realize you can't continuously spend something that you don't have.

Another field that I am vitally worried about, and I know Dick and Bill and most of you are, is our rapidly deteriorating position around this globe. This doesn't seem to concern the present occupant of the White House. He is more concerned about what is going on in this State or that State than he is what's going on around this world in relation to the United States. We are being spat upon, belittled. We are at the point today where the Ambassador of the United Nations is afraid to say, "Russia, pay up or get out." We are being frightened into positions we have no reason to be frightened into.

This isn't belligerent talk. This isn't war talk. This is merely the suggestion of one American who never wants to see a tear in an American's eyes as I saw tears in Frenchmen's eyes when the enemy finally moved in after being told it couldn't happen here. I want to see our party a party of honest opposition, strong opposition. I want to see more Members of our Congress standing up on their feet today and day after day pointing out the mistakes and the errors and the dangerous moves of the opposition. In fact, I suggest that our Republican Congress can do its best job by going slowly.

I was ranking minority member of the Senate Committee on Labor and Public Welfare. How many days and hours do you think we spent on the antipoverty bill? Anybody want to make a guess? Less than 4 hours on the formal discussion in the Committee of Labor and Public Welfare in the Senate. We are hearing talk now about this astronomical program and its good points. We aren't going to argue with that. It has its good objectives. But we hear about jamming this through by July 1. These programs have to be studied. They have to be explained to the American people. We have to recognize that the aims are great but we also have to find out what threats are in them against freedom.

We hear about the Great Society. I would remind you we have been a Great Society all of our lives. If we weren't my grandfather would never have gotten here from Poland or England because there would have

been no reason. He wanted to be free. Yet we hear in this Great Society today, justice, liberty, and unity. I might remind you that we find justice in jails. We find liberty among Communist-controlled people, to some extent. Unity, there is unity amongst the Communists. There is unity amongst criminals, but freedom is the major ingredient of our society and without it these things mean nothing and once again as I did during the campaign I implore the President to talk about freedom as he talks about justice, liberty, and unity because liberty and freedom are not exactly the same things.

Now, in closing, I want to say what Dick has said. I am a Republican. I have always been a Republican. I will never feel at home any place else. I will resist any third party movement in this country, and I will never allow my name to be associated with any such movement.

This Republican Party lives under a great tent. We have room in it for all interpretations of our basic philosophy. I said, I say now, as I said in Chicago 5 years ago, let's not stand inside this tent and throw rocks at each other. You can stand outside and throw rocks, but not inside. If you have your arguing to do, whether you are liberal, moderate, or conservative, whatever those words mean today, let's argue them out between now and 1968. When we have decided our nominees for the House and Senate, for the gubernatorial posts in 1966, just because we don't agree, for the "love of Mike" don't stay home and throw rocks at the candidate.

I want to thank all of you for the great honor that you bestowed on me by having selected me as your candidate—20-20 hindsight might make some of you wish you hadn't done it—20-20 hindsight can show me a lot wrong with the decision but it was your decision and I never have been so honored in my life.

I will never be so honored again. I will carry this honor to my grave as the proudest thing I own. Thank you.

REVISION OF IMMIGRATION LAWS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as one who supports reasonable revision of the immigration laws, I was struck by a thoughtful analysis of the problems involved which appeared as an editorial in the January 14 issue of the Christian Science Monitor. I welcome this opportunity to place it in the RECORD for the consideration of the House:

WHAT IMMIGRATION LAW?

As the next step in what promises to be one of the most tradition-shattering legislative programs ever asked by a President of the United States, Lyndon B. Johnson has demanded fargoing changes in American immigration laws.

There has been for many years a sharp division within public thought on this question. On one side have stood those who believe that all nations have the right to preserve their traditional racial, religious, and cultural make-up against inflows which might seriously alter it. This group, hitherto dominant, points out that the United States, despite heavy immigration from many

areas of the world, remains essentially northern European and Protestant.

Against this point of view are ranged those who claim that America's immigrant laws are discriminatory, that the United States should not make nationality a test for immigration. These would have the famed "melting pot" melt still more furiously. They would consider would-be immigrants as individual human beings rather than members of nations or races.

Although by no means adopting all the demands of the most extreme within this latter group, President Johnson has clearly responded to their pleas. Although not substantially lifting the yearly immigration quota (which, incidentally, does not give a true picture as it is exceeded each year by almost its own number due to special visas), the President's wish is to end the present preferential treatment given northern Europeans, primarily British, German, Irish, and Scandinavian.

The White House lays particular stress on what it says is the need to import workers with needed skills. The new bill would also further serve the already operative and humanitarian principle of seeking to unite families.

A serious question, and one which the President did not even touch upon in his message, is the desirability—one might even term it the "humanity"—of seeking to open the gates to large numbers of persons with greater or lesser skills, while there are millions of unemployed in the United States, while automation has already thrown many skilled workers out of a job, while large numbers of Negroes and Puerto Ricans are either unemployed or underemployed. But even these facts are less significant than still another: the United States is now entering the period when the postwar baby boom begins to flood the labor market. In the next 10 years alone, this boom will add 15 million jobseekers over and above the figure of those normally expected. Where will they find jobs?

From a hardheaded point of view, the United States might be expected under such circumstances to cut down on immigration, rather than seek to increase it. Many other countries follow such a course. But would it be consistent with American ideals?

Thus difficult questions arise. If, in this matter, one shows a humanitarian face to the world, is one showing a heartless face to unfortunates at home? Is an improvement in America's worldwide "image" worth the price of possibly compounding already existent economic difficulties? Clearly, such choices require careful weighing.

WIDENED FOOD-FOR-PEACE PROGRAM

Mr. CLEVINGER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am introducing a bill today which would provide a new and useful method of expanding overseas markets for U.S.-produced foodstuffs, increasing our dollar trade, and aiding in the economic development of recipient countries.

The bill would add a new chapter, chapter 7 to part I of the Foreign Assistance Act of 1961, to authorize long-term supply contracts for school lunch

and welfare programs abroad. This chapter would authorize the President to make firm commitments for any period of up to 5 years after the Secretary of Agriculture made a determination that the commodity in question is reasonably likely to continue in surplus for that period.

This authority for firm commitments on the strength of estimated future supply conditions is the most significant contribution of this proposal. The bill would permit the Secretary of Agriculture to make open-market purchases at above-price-support levels to fill the commitments should our surplus supply become depleted during the period of the commitment. Existing law requires a determination at the time of delivery that the commodity is then in surplus before it may be shipped. This results in great uncertainty for the recipient country.

Elimination of this uncertainty is highly desirable, not solely for the convenience of recipient countries, but very importantly, for the U.S. producers, processors, and shippers.

In the face of the existing uncertainty potential participating countries are discouraged from investing in the storage, packaging, and distribution facilities needed to receive both governmental shipments and commercial sales through private channels. Where the products might be used for such politically sensitive purposes as welfare and school lunch distributions, there is an even greater disinclination to embark on a program which might have to be terminated because of supply conditions in the United States.

In a recent article appearing in the Washington Post on January 21, 1965, Dan Kurzman cited the growing interest of the Johnson administration in utilizing food more fully in our foreign policy. We who view food and our ability to produce surplus stocks of food as very effective foreign policy tools are greatly encouraged by this indication of the administration's willingness to consider and support measures similar to the bill I am introducing today. In the belief that this article is of interest to my colleagues and relevant to the measure I am proposing, I include with my remarks the text of that article:

WIDENED FOOD-FOR-PEACE PROGRAM IS PLANNED

(By Dan Kurzman)

A revolutionary food-for-peace program to help end hunger in the free world is being planned by the administration.

The program would require new legislation to permit basic changes in this country's farm policy.

Under the current food-for-peace program, only agricultural products in surplus can be shipped abroad as aid. Under the one now being drawn up, nonsurplus foods would also be sent abroad, mainly high-protein items such as soybeans and dairy products selected to fight malnutrition.

CHANGES IN SUBSIDIES

To assure an adequate supply of the most needed foods, important readjustments in the Government's farm subsidy program would be necessary.

Subsidies intended to cut production of items that would be required for the anti-

hunger campaign could be reduced or eliminated while new incentives might be needed to encourage rather than discourage the cultivation of certain crops.

The projected program would implement a proposal by President Johnson last October "to use food and agricultural skills of the entire West in a joint effort to eliminate hunger and starvation." The program is now being worked out jointly by the Department of Agriculture, the Agency for International Development (AID), food for peace, and the Bureau of the Budget.

Although the total program might cost more than the present one, U.S. officials pointed out, an increase in the farm budget probably would not be required since a large part of the cost could be shifted from the Department of Agriculture to AID.

BUDGET PROPOSAL

Such a shift would depend on the willingness of Congress to give food a priority place within the AID program—an uncertainty at best, particularly since the President has asked for a sharply trimmed AID budget for fiscal 1966, starting in July.

However, since increased funds for food would not be required until fiscal 1967, a decision by the President to push the program could help make the funds available then or later.

Actually, pilot projects, which would not require any change in present farm or AID budgets, may be launched this year. From three to six underdeveloped countries will probably be selected to test the practicability of the program. Administration officials feel that for the first time in history the means exist for eliminating world starvation, and that the Great Society can prove itself on a global basis by so doing.

POLITICAL RESULTS SEEN

A successful worldwide antihunger campaign, officials believe, would, at minimum cost, not only eliminate one of mankind's most deadly plagues, but produce tremendous political results, particularly since the Communist world cannot produce enough food for itself.

Such a program is possible now, these officials say, because the scope of world hunger can be measured for the first time as a result of an intensive survey made about a year ago by the Department of Agriculture. This survey was made possible by the Freedom From Hunger campaign started in 1961 by the United Nations Food and Agriculture Organization, which made governments more aware of the need for statistics to tie down food requirements.

The world food shortage is estimated in terms of yearly value, at \$6.8 billion, of which \$2.5 billion is attributed to non-Communist countries. These figures take into account the present annual food-for-peace offerings of \$1.6 billion and the less than \$500 million contributed yearly by other nations.

Built into the projected program would be efforts to reduce the \$2.5 billion free world gap through self-help measures undertaken by the needy nations.

HUGE CROP LOSSES

These measures would be designed first to improve the storing and distribution of available food. India today loses almost one-third of its crop through rats, insect infestation, and spoilage, while Chile loses up to half of its fruit and vegetables because of the lack of proper canning facilities.

Second, increased local food production would be encouraged through greater use of fertilizer, increased farm credits, and technical aid, and new marketing facilities. Such self-help measures constitute the main effort of the FAO's Freedom From Hunger campaign.

Food shortages remaining after such measures were undertaken—and after normal commercial trade with food exporting coun-

tries was taken into account—would then be met under the new program, assuring that such aid represented the assistance that the hungry people could not provide for themselves.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 5 minutes, tomorrow, and to revise and extend his remarks.

Mr. GROSS, for 30 minutes, on Thursday, January 28.

Mr. SAYLOR (at the request of Mr. DEL CLAWSON), for 15 minutes, on Thursday, January 28, 1965; to revise and extend and include extraneous matter.

Mr. WHITENER (at the request of Mr. CLEVINGER), for 30 minutes, on Monday, February 1, 1965; to revise and extend his remarks and to include extraneous matter.

ADJOURNMENT

Mr. CLEVINGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Thursday, January 28, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

434. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A joint resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile"; to the Committee on Armed Services.

435. A letter from the Acting Deputy Administrator, Veterans' Administration, transmitting a report on the Veterans' Administration's activities in the disposal of foreign excess property for calendar year 1964, pursuant to title IV, section 404(d), Public Law 81-152; to the Committee on Government Operations.

436. A letter from the Under Secretary of the Interior, transmitting a proposed concession contract for services, etc., for the public at the Oak Bottom site in the Whiskeytown Reservoir Area, Calif., pursuant to 67 Stat. 271, as amended; to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 3699. A bill to amend the Social Security Act to expand and improve services under the maternal and child health and crippled children's programs, to provide special funds for training professional personnel for providing health services for crippled children, to provide for a program of medical assistance for children and other persons whose income and resources are insufficient to meet the cost of necessary medical care and services, to enable States to implement and follow up their planning and other activities leading to comprehensive action to

combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 3700. A bill declaring Columbus Day to be a legal public holiday; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 3701. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. CABELL:

H.R. 3702. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for a taxpayer with one or more children in college; to the Committee on Ways and Means.

By Mr. FARBERSTEIN:

H.R. 3703. A bill to amend title II of the Social Security Act to increase from 18 to 22, in the case of a child attending school, the age until which child's insurance benefits may be paid thereunder; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 3704. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3705. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 3706. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 3707. A bill to improve the annuity computation formula for certain employees under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H.R. 3708. A bill to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging"; to the Committee on Education and Labor.

By Mr. GROVER:

H.R. 3709. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 3710. A bill to amend section 331 of the Economic Opportunity Act of 1964 in order to continue the indemnity payment program for dairy farmers; to the Committee on Education and Labor.

By Mr. HOWARD:

H.R. 3711. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 3712. A bill relating to the application of the manufacturers excise tax on electric light bulbs in the case of sets or strings of such bulbs; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 3713. A bill to establish a Commission on the Organization of the Congress; to the Committee on Rules.

H.R. 3714. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 3715. A bill to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 3716. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize recommendations for standards of water quality, and for other purposes; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 3717. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 3718. A bill to authorize the Commissioners of the District of Columbia to acquire, contract, operate, and regulate a public off-street parking facility; to the Committee on the District of Columbia.

By Mr. ROSTENKOWSKI:

H.R. 3719. A bill to establish a U.S. mint in Cook County, Ill.; to the Committee on Public Works.

By Mr. SAYLOR:

H.R. 3720. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. SCHWEIKER:

H.R. 3721. A bill to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations; to the Committee on Foreign Affairs.

By Mr. SHRIVER:

H.R. 3722. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from \$1,200 to \$1,800 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. SPRINGER:

H.R. 3723. A bill to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TENZER:

H.R. 3724. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 3725. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross estate for the value of property passing to children; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 3726. A bill to authorize the retirement on full annuity after 30 years of service of employees subject to the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. HERLONG:

H.R. 3727. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care

for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 3728. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 3729. A bill to amend the Foreign Assistance Act of 1961 so as to authorize the carrying out, in furtherance of the foreign policy of the United States, of certain programs of assistance to needy persons and social welfare and nonprofit school lunch programs; to the Committee on Foreign Affairs.

By Mr. MILLER:

H.R. 3730. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Science and Astro-nautics.

By Mr. PERKINS:

H.R. 3731. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

By Mr. RYAN:

H.R. 3732. A bill to amend title II of the Social Security Act to increase from 18 to 22, in the case of a child attending school, the age until which child's insurance benefits may be paid thereunder; to the Committee on Ways and Means.

H.R. 3733. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 3734. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for qualified dependent relatives of certain insured individuals; to the Committee on Ways and Means.

H.R. 3735. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 3736. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.J. Res. 244. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 245. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.J. Res. 246. Joint resolution proposing an amendment to the Constitution of the United States to guarantee the right of any

State to apportion one house of its legislature on factors other than population, and for other purposes; to the Committee on the Judiciary.

By Mr. MACHEN:

H.J. Res. 247. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.J. Res. 248. Joint resolution to propose an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H. Con. Res. 136. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. ELLSWORTH:

H. Con. Res. 137. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mrs. GRIFFITHS:

H. Con. Res. 138. Concurrent resolution that the President of the United States be requested to bring up the Baltic States question before the United Nations and that the United Nations conduct free elections in Lithuania, Latvia, and Estonia, under its supervision; to the Committee on Foreign Affairs.

By Mr. LINDSAY:

H. Con. Res. 139. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. MAILLIARD:

H. Con. Res. 140. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. MORSE:

H. Con. Res. 141. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. REID of New York:

H. Con. Res. 142. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. SCHWEIKER:

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress with respect to efforts of the President to secure a universal condemnation of anti-Semitism; to the Committee on Foreign Affairs.

H. Con. Res. 144. Concurrent resolution expressing the sense of Congress with respect to the persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

By Mr. TENZER:

H. Con. Res. 145. Concurrent resolution expressing the sense of the Congress with respect to the public viewing of the film "Years of Lightning, Day of Drums," prepared by U.S. Information Agency on the late President Kennedy; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 146. Concurrent resolution expressing the sense of Congress with respect to aggression in the Middle East; to the Committee on Foreign Affairs.

By Mr. MORRIS:

H. Con. Res. 147. Concurrent resolution expressing the sense of Congress on increasing the authorized bed capacity for all Veterans' Administration hospitals; to the Committee on Veterans' Affairs.

By Mr. FARBSTEN:
H. Res. 145. Resolution creating a select committee to conduct an investigation and study of the rate of cost increases under health benefits plans; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 146. Resolution authorizing payment of compensation for certain committee employees; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII.

The SPEAKER presented a memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States, requesting the continuation of operations of the Veterans' Administration domiciliary at Clinton, Iowa, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 3737. A bill for the relief of Rosalina Sousa Martins; to the Committee on the Judiciary.

By Mr. CALLAN:

H.R. 3738. A bill for the relief of Antonia Hernandez-Rico; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3739. A bill for the relief of Elias Dialektakos; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3740. A bill for the relief of Rosalita Pina; to the Committee on the Judiciary.

H.R. 3741. A bill for the relief of Maria Esther Nacson De Garcia Moya; to the Committee on the Judiciary.

H.R. 3742. A bill for the relief of Yong Ok Espantoso; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 3743. A bill for the relief of M. R. Agarwal; to the Committee on the Judiciary.

By Mr. FARBSTEN:

H.R. 3744. A bill for the relief of Anna Noullet; to the Committee on the Judiciary.

H.R. 3745. A bill for the relief of David Wajsbat; to the Committee on the Judiciary.

H.R. 3746. A bill for the relief of Irma Hegedus; to the Committee on the Judiciary.

H.R. 3747. A bill for the relief of Anna and Simon Leiser; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3748. A bill for the relief of Mrs. Elda Martin; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 3749. A bill for the relief of Mrs. Matild Gizella Kovacs; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 3750. A bill for the relief of certain individuals; to the Committee on the Judiciary.

H.R. 3751. A bill for the relief of Tarek L. Radjef; to the Committee on the Judiciary.

H.R. 3752. A bill for the relief of Robert C. Gibson; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 3753. A bill for the relief of Grazia Modafferi; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 3754. A bill for the relief of the heirs of Dalva Calazans and others; to the Committee on the Judiciary.

By Mr. McEWEN:
H.R. 3755. A bill for the relief of Theodore Kaltsounis; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 3756. A bill for the relief of James S. Kahrman; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 3757. A bill for the relief of Jan Onnik Bahadir; to the Committee on the Judiciary.

H.R. 3758. A bill for the relief of Mary F. Thomas; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 3759. A bill for the relief of Mrs. Christina Protonentis; to the Committee on the Judiciary.

H.R. 3760. A bill for the relief of Dr. Abbas Assar; to the Committee on the Judiciary.

H.R. 3761. A bill for the relief of Luigi Seminara; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 3762. A bill for the relief of Mr. Nicolas Roth Domanos; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 3763. A bill for the relief of Melbourne B. Sibbles; to the Committee on the Judiciary.

H.R. 3764. A bill for the relief of Lydia Carolina Pessio; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 3765. A bill for the relief of Miss Rosa Basile DeSantis; to the Committee on the Judiciary.

H.R. 3766. A bill for the relief of Guiseppe Ciancimino; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3767. A bill for the relief of Irena Gordyczukowska; to the Committee on the Judiciary.

H.R. 3768. A bill for the relief of Anna Polnik; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 3769. A bill for the relief of Mrs. Surpluk Suluckyan; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 3770. A bill for the relief of certain individuals employed by the Department of the Navy at the Pacific Missile Range, Point Mugu, Calif.; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 3771. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 3772. A bill for the relief of Maria Restivo; to the Committee on the Judiciary.

H.R. 3773. A bill for the relief of Joshua Felse Ziro Brevio; to the Committee on the Judiciary.

H.R. 3774. A bill for the relief of Wanda Olszowa; to the Committee on the Judiciary.

H.R. 3775. A bill for the relief of Mrs. Polyxeni Terzidon; to the Committee on the Judiciary.

H.R. 3776. A bill for the relief of Mrs. Margaret M. Burke; to the Committee on the Judiciary.

By Mr. WOLFF (by request):

H.R. 3777. A bill for the relief of Edward Pechdimaldji; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 3778. A bill to provide tax relief for contributors to the Thomas M. Dugan Memorial Fund; to the Committee on Ways and Means.